THE Commonwealth OF OCEANA.

Tantalus à labris ſitiens, fugientia captat
Flumina: quid rides? mutato nomine, de te
Fabula narratur.——Hor.

LONDON,
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1658.

UMI

320.1
H238o
1658

THE COMMON-VVEALTH OF Oceana.

Dedicated

To His HIGHNESSE

THE

Lord Protector

OF

The Common-Wealth of *England*, *Scotland*, and *Ireland*.

By *James Harrington*.

1093383

Epiſtle to the *Reader.*

SIR, *If this Writing be not acceptable, here is already enough, and too much of it, but if it be, it is but a rough draught; for I have not been yet two years about it, nor ever ſaw all or halfe my Papers together: And now in the bringing them to light, they have been diſperſed into three Preſſes, where becauſe I could not be preſent at them all, I was preſent at none, by which means the weakneſſe of my performance, hath been ſo ſtrangely managed for the worſe, that I am quite out of countenance at my worke, which the enſuing errors mended, will not be perfect, but not mended, is not to be underſtood: Wherefore let me intreat you before you caſt away the time in beginning to read, that you mend the Faults according unto the enſuing Corrections: Which done, I dare promiſe you that if I have not made you a good flight, I have ſprung you the beſt Quarry: For though the Diſcourſes be full of crudities, the Modell hath had perfect concoction.*

Errors of the Impreſſion	Page.	Line.	*To be thus Corrected.*
INTRODUCTION.			
Thee? thy.	1	4	Thee, the.
The Government.	2	36	That Government.
For ſhaking off the Yoake.	3	11	For ſhaking the Yoak.
The effects.	4	17	Thoſe effects.
PRELIMINARYS.			
Tranſlation.	1	10	Tranſition.
Metius.	5	33	Melius.

Errors of the Impreſſion	Page.	Line.	*To be thus Corrected.*
Comes.	6	24	Come.
Firſt he holdeth.	6	32	He holdeth.
Circuſſians.	8	45	Circaſſians.
Governments.	9	8	Government.
Opoſite.	9	35	Oppoſed.
Naturally.	14	21	Maturely.
Their ten.	16	2	Thirteen.
Talmudeſt.	16	19	Talmudiſts.
Of others.	17	21	All other.
The Senate.	18	4	This Senate.
Common-wealth.	21	36	Common-wealths.
And foundation.	22	36	Or foundation.
Superſtructions.	22	36	Superſtructures.
Had no ſufficient.	26	38	Had ſufficient.
Diſtributed them into.	32	24	Diſtributed into.
Have overwhelmed.	33	6	Overwhelmed.
Vavoſor.	33	32	Vavaſor.
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Vavoſor vavoſory.	35	13	Vavaſor Vavaſory.
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The mighty creaturs.	38	24	The mighty; creaturs.
Freinds.	40	8	Hiends.
That makes.	43	6	Makes.
Mamalines.	43	21	Mamaluc's.
Through.	43	32	Though.
Corrupt: in a people.	45	40	Corruption.
That prudence of.	46	4	That of.
Had nothing.	47	20	And had nothing.
MODELL.			
Gnavan.	56	24	Gnacion.
Either the powr.	57	2	The powre.
Senſe.	57	4	Cenſe.
Unto.	57	5	Into.
Be rang.	60	35	Be rung.
Of the Ballot.	63	37	By the Ballott.
The Hall.	79	30	The Halo.
A Knight a Deputy.	79	36	A Knight or Deputy.
Unto the ſame or any other.	79	38	Into the Galaxy of the ſame or any other.
Her ballance.	86	1	Such a ballance.
As.	86	37	Is.
This.	89	14	His.
The eſtate of the Citizen being as little capable of encreaſe as that of the Common-wealth.	91	13	The eſtate of the City being as little capable of encreaſe as that of the Cittizen.

In the fifteenth Order, for the page is wrong marked

For firſt Region, *line* 3. read Third Region. For third Region, *line* 4. read firſt Region. For received the firſt, *line* 5. read received the third.

Spread

Errors of the Impreſſion.	Page.	Line.	To be thus Corrected.
Spread.	94	24	Had ſpread.
The.	101	23	This.
Or many.	104	29	Many.
Their children.	109	17	His children.
Their brocage.	109	19	His brocage.
The Romances.	110	7	Your Romances.
Theſe.	112	4	Thoſe.
The People.	112	13	That People.
Containe.	121	45	Continue.
Seale.	122	7	Seate.
Seale.	122	9	Seate.
Examined.	131	17	Peruſed.
Of the third.	140	13	Of the firſt.
Another.	140	32	Other.
Of Ballottine.	140	35	Or Ballottine.
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Gentilman.	143	17	Gentilmen.
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Gothickes.	144	22	Gothicke.
A leur ayte.	145	20	A leur aiſe.
Deverte.	147	7	Deveſt.
That the Nobility be.	148	24	That the Nobility only be.
And.	150	6	For.
Stolo d' Enyo.	151	17	Dolabella d' Enyo.
Later.	152	17	Late.
Ly they.	152	27	Lyes it.
The Galaxys.	153	10	Your Galaxys.
Provoſts.	155	9	Our Provoſts.
Nime.	155	35	Mine.
Dimicantes.	159	24	Demicantes.
Which.	164	27	And.
Not theſe.	170	33	Not theſe only.
Cornupedum.	172	12	Cornipedum.
The Common w:	173	24	Your Common w:
In the Prerogative.	176	19	In your Prerogative.
Porpoſed.	178	13	Propoſed.
My.	178	24	May.
The Tribunes.	180	14	The Tribunes, if the caſe be criminal.
The Haukes.	187	27	Your Haukes.
In eſſet.	184	20	In iſſet.
Dieij.	187	22	*Dieci.*
Of her Tapeſtry.	191	7	Of Tapeſtry.
To nothing.	197	28	For nothing.
And though.	198	14	Though.
Beane.	198	24	Beaſt.
Anſware.	201	8	Reply.
Which.	202	18	What.
Amounts.	202	27	It amounts.
Pointed.	203	24	Appointed.
Waſte.	204	2	The waſte.
Urbane.	205	7	The Urbane.
Obtained.	205	18	Attained.
Moyſances.	205	34	Nuyſances.
Tribes.	205	41	Wards.

Con-

Cenſors.	206	19	Nine Cenſors.
Preferred.	206	33	Preſented.
Make.	209	4	Making.
That age.	210	32	The age.
Eſay.	210	34	Eſſays.
Their.	218	14	Theſe.
Inſtance.	220	22	I inſtance.
And Polemarch.	221	30	And a Polemarch.
Flaminus.	222	5	Flamines.
Cuntry.	222	14	Cuntrys.
To the Elect.	222	21	To Elect.
The.	223	6	Your.
The.	223	6	Your.
They.	223	11	When they.
Religion.	223	13	Religion.)
Of State.)	223	14	Of State.
Du prete.	224	2	Da prete.
The Clergy,	224	5	Your Clergy.
Worke.	227	26	Worſe.

A Mark. — A Mark. — A Mark. —

A Spanell queſting hath ſprung my Book out of one Preſſe into two other, wherefore you will find the Retrieve, or that which followes next, differently marked from what went before; and the Corollary from this.

RETREIVE.

Rubs.	157	16	Rub.
Peice. As.	157	20	peice, then.
Of the world, which then.	157	30	Of the world, then.
Carkaſſes.	160	13	Carkaſſe.
Have.	160	27	Leave.
Have.	160	29	Hath.
(As the caſe ſtood with ſuch.)	165	24	(As the caſe ſtood.)
Be a Patronage.	266	21	Be Patronage.
The.	270	22	Your.
Charge.	270	32	Change.
The matters.	270	32	Your matters.
Tour Legiſlators.	281	26	The Legiſlators.
To heare.	283	15	Where.

COROLLARY.

But whereas.	191	2	And whereas.
Or.	191	25	Nor.
The Traine being for.	192	33	The Traine, for.
Tue.	195	39	Virtue.
Out thine.	195	40	Outſhine.
Shall be.	196	38	Be.
Shall be,	196	39	Be.
Shall be.	197	6	Be.
Of.	197	23	At.
Pulce.	197	35	Pulſe.
Forth.	200	8	For.
Nor might.	204	27	Not might that.
Polymarches.	206	24	Polemarches.
Kiera.	207	28	Hiera.
Horſes.	208	24	Forces.
Deſtraction.	209	13	Deteſtation.
Syracuſans.	209	37	Syracuſians.
Is.	210	12	As.
Patra.	211	1	Patriæ.
The armes.	233	17	Your armes.
Calamity: whereupon.	234	29	Calamity, whereupon.
Captaines, Cornets.	239	32	Captaines: Cornets.

The Introduction or Order of the Work.

Plinie's Description of Oceana.

Oceana is saluted by the Panegyriſt after this manner; *O the moſt bleſſed and fortunate of all Countreys* Oceana! *How deſervedly hath Nature with the bounties of Heaven and Earth endued thee? thy ever fruitfull womb not cloſed with Ice, nor diſſolved by the raging Star; where* Ceres *and* Bacchus *are perpetuall Twins. Thy Woods are not the harbour of devouring beaſts; nor thy continuall Verdure, the ambuſh of Serpents: but the food of innumerable herds and flocks preſenting thee their Shepherdeſſe with diſtended dugs or golden Fleeces. The wings of thy Night involve thee not in the horrour of darkneſſe, but have ſtill ſome white feather, and thy Day is that for which we eſteem life, the longeſt.* But this Extaſie of *Plinie's* (as is obſerved by *Bertius*) ſeemeth to allude as well unto *Marpeſia* and *Panopea*, now Provinces of this Common-Wealth as unto *Oceana* her ſelf.

The Nature of the people. Eſſay 2.

To ſpeak of the people in each of theſe Countreys, this of *Oceana* for ſo ſoft an one, is the moſt martiall in the whole World. *Let States that aym at greatneſſe* (ſaith Verulamius) *take heed how their Nobility and Gentlemen do multiply too faſt, for that maketh the common Subject grow to be a Peaſant and baſe Swain driven out of heart, and in effect but a Gentlemans labourer: Even as you may ſee in Coppice Woods, if you leave the Staddles too thick, you ſhall never have clean underwood, but ſhrubbs and buſhes: So in Countries, if the Gentlemen be too many, the Commons will be baſe; and you will bring it to that, that not the hundredth pole will be fit for an Helmet; eſpecially as to the Infantry which is the nerve of an Army, and ſo there will be great population and little ſtrength. This which I ſpeak of hath been no where better ſeen then by comparing of* Oceana *and* France, *whereof* Oceana *though far leſſe in territory and population hath been nevertheleſſe an overmatch! in regard the middle people of* Oceana *make good Souldiers, which the Peaſants in* France *do not.* In which words, *Verulamius* (as Machiavill hath done before him) harps much upon a ſtring which he hath not perfectly tuned, and that is the *ballance of Dominion or Propriety*: as it followeth more plainly in his praiſe *of the profound and admirable device of* Panurgus *King of* Oceana, *in making Farms and houſes of Husbandry of a Standard, that is, maintained with ſuch a proportion of Land unto them, as may breed a Subject to live in convenient plenty, and no ſervile condition, and to keep the Plough in the hand of the owners, and not meer hirelings: and thus*

indeed (saith he) you shall attain unto Virgil's *Character which he gives of ancient* Italy:

Terra potens armis atq; ubere glebæ.

But the Tillage bringing up a good Souldiery, bringeth up a good Common-Wealth: which the Author in the praise of *Panurgus* did not mind, nor *Panurgus* in deserving that praise; for where the owner of the Plough comes to have the Sword too, he will use it in defence of his own; whence it hath happened, that the people of *Oceana* in proportion unto their propriety have been alwaies free: and the Genius of this Nation hath ever had some resemblance with that of antient *Italy*, which was wholly addicted unto Common-Wealths, and where *Rome* came to make the greatest accompt of her Rustick Tribes, and to call her Consuls from the Plough; for in the way of Parliaments, which was the Government of this Realm, men of Country Lives have been still intrusted with the greatest affairs, and the people have constantly had an aversion from the wayes of the Court, Ambition loving to be gay, and to fawn, hath been a gallantry looked upon as having something in it of the Livery; and Husbandry or the Country way of life, though of a grosser spinning, as the best stuffe of a Common-wealth according unto *Aristotle*, (*Agricolarum democratia respublica optima*) such an one being the most obstinate asserter of her liberty, and the least subject unto innovation or turbulency: Wherefore till the foundations (as will be hereafter shewed) were removed, this people was observed to be the least subject unto shakings and turbulency of any: Whereas Common-wealths, upon which the City life hath had the stronger influence, as *Athens*, have seldome or never been quiet; but at the best are found to have injured their own business by overdoing it. Whence the *Urbane* Tribes of *Rome* consisting of the *Turba forensis*, Libertines that had received their freedom by manumission, were of no reputation in comparison of the Rusticks. It is true, that with *Venice* it may seem to be otherwise, in regard the Gentlemen (for so are all such called as have right unto the Government) are wholly addicted unto the City life: but then the *Turba forensis*, the Secretaries, *cittadini*, with the rest of the populacy are wholly excluded; otherwise a Common-wealth consisting but of one City, would doubtlesse be stormy, in regard that ambition would be every mans trade: but where it consisteth of a Country, the plough in the hands of the owner, findeth him a better calling, and produceth the most innocent and steddy Genius of a Common-wealth, such as is that of *Oceana*.

The Nature of the *Marpesians*.

Marpesia being the Northern part of the same Island, is the

the dry nurſe of a populous and hardy people; but where the Staddles have been formerly too thick: whence their courage anſwered not unto their hardineſſe, except in the Nobility, who governed that Country much after the manner of *Poland*, ſave that the King was not elective, till the people received their liberty, the yoke of the Nobility being broken by the *Common-wealth* of *Oceana*: which in grateful return is thereby provided with an inexhauſtible Magazeen of Auxiliaries: *Panopea*, the ſoft mother of a ſlothful and puſillanimous people, is a neighbour Iſland, anciently ſubjected by the Arms of *Oceana*; ſince, almoſt depopulated for ſhaking off the Yoke, and at length replanted with a new Race. But (through what vertues of the ſoyl, or vice of the air ſoever it be) they come ſtill to degenerate: wherefore ſeeing it is neither likely to yield men fit for Arms, nor neceſſary it ſhould; it had been the intereſt of *Oceana*, ſo to have diſpoſed of this Province, being both rich in the nature of the ſoyl, and full of commodious Ports for Trade, that it might have been ordered for the beſt in relation unto her purſe: Which in my opinion (if it had been thought upon in time) might have been beſt done by planting it with Jewes, allowing them their own Rites and Lawes, for that would have brought them ſuddainly from all parts of the World, and in ſufficient numbers; and though the Jews be now altogether for Merchandize, yet in the Land of *Canaan* (ſince their exile from whence they have not been Landlords) they were altogether for agriculture; and there is no cauſe why a man ſhould doubt, but having a fruitfull Country and good Ports too, they would be good at both. *Panopea* well peopled, would be worth a matter of four millions dry rents, that is, beſides the advantage of the agriculture and Trade, which with a Nation of that induſtry comes at leaſt unto as much more. Wherefore *Panopea* being farm'd out unto the Jews, and their heirs for ever, for the pay of a Provincial Army to protect them during the term of ſeven years, and for two millions annual revenue from that time forward; beſides, the Cuſtoms, which would pay the Provincial Army, would have been a bargain of ſuch advantage, both unto them and this *Common-wealth*, as is not to be found otherwiſe by either. To receive the Jewes after any other manner into a Common-wealth, were to maim it: for they of all Nations never incorporate, but taking up the room of a Limb, are of no uſe or office unto the body, while they ſuck the nouriſhment which would ſuſtain a natural and uſeful member.

The nature of the *Panopeans*.

If *Panopea* had been ſo diſpoſed of, that Knapſack, with the *Marpeſian* Auxilliary, had been an ineſtimable treaſure; the ſituation of theſe Countries being Iſlands, (as appeaas by *Venice* how advantagious ſuch an one is to the like Government)

Situation of the Common-wealth of *Oceana*.

seemeth to have been designed by God for a Common-wealth: and yet that through the streightnesse of the place, and defect of proper Arms, can be no more then a *Common-wealth* for *preservation*; whereas this reduced unto the like Government is a *Common-wealth for encrease*; and upon the mightiest foundation that any hath been laid from the beginning of the World unto this day.

(*Illam arctâ capiens Neptunus compede stringit:*
Hanc autem glaucis captam complectitur ulnis.)

The Sea giveth law unto the growth of *Venice*, but the growth of *Oceana* giveth law unto the Sea.

These Countries having been anciently distinct and hostile Kingdoms, came by *Morpheus the Marpesian*, who succeeded by hereditary right unto the *Crown* of *Oceana*, not onely to be joyned under one head, but to be cast, as it were by a charm, into that profound sleep, which broken at the length by the Trumpet of Civill War, hath produced the effects, that have given the occasion unto the ensuing Discourse, divided into Four Parts.

I. The

1. *The* Preliminaries, *shewing the Principles of Government.*

2. *The* Councill of Legislators, *shewing the Art of making a* Common-Wealth.

3. *The* Modell *of the* Common-Wealth *of* Oceana, *shewing the effect of such Art.*

4. *The* Corollary, *shewing some consequences of such a* Government.

The Preliminaries, *shewing the Principles of Government.*

JAnotti, the most excellent describer of the Common-wealth of *Venice*, divideth the whole Series of Government into two Times or Periods. The one ending with the liberty of *Rome*, which was the course or *Empire*, as I may call it, of *antient prudence*, first discovered unto mankind by God himself, in the fabrick of the *Common-wealth* of *Israel*, and afterward picked out of his footsteps in nature, and unanimously followed by the *Greeks* and *Romans*. The other beginning with the Arms of *Cæsar*; which extinguishing liberty were the Translation of *ancient* into *modern prudence*, introduced by those inundations of *Huns*, *Goths*, *Vandalls*, *Lombards*, *Saxons*, which breaking the *Roman Empire*, deformed the whole face of the world, with those ill features of Government, which at this time are become far worse in these Western parts, except *Venice*, (which escaping the hands of the *Barbarians*, by vertue of her impregnable situation, hath had her eye fixed upon *ancient Prudence*: and is attained to a perfection even beyond her

Definitions of Government.

Relation being had unto theſe two Times, Government (to define it (*de jure*) or according to *ancient Prudence*) is an Art whereby a Civil Society of men is inſtituted and preſerved upon the foundation of common right or intereſt, or (to follow *Ariſtotle* and *Livy*) it is the *Empire* of *Lawes* and not of *Men*.

And Government (to define it (*de facto*) or according unto *modern Prudence*) is an Art whereby ſome man, or ſome few men, ſubject a City or a Nation, and rule it according unto his or their private intereſt; which, becauſe the Lawes in ſuch caſes are made according to the intereſt of a man, or of ſome few Families, may be ſaid to be the *Empire* of *Men*, and not of *Lawes*.

The former kind is that which *Machiavill* (whoſe Books are neglected) is the *onely Politician* that hath gone about to re-

Page 180. treive: and that, *Leviathan* (*who would have his Book impoſed upon the Univerſities*) goes about to deſtroy. For, *It is* (ſaith he)

Page 377. *another errour of* Ariſtotle's *Politicks, that in a well ordered Common-wealth, not Men ſhould govern, but the Lawes: What man that hath his naturall Senſes, though he can neither write nor read, does not find himſelf governed by them he fears, and believes can kill or hurt him when he obeyeth not? or, who believes that the Law can hurt him, which is but words and paper, without the hands and ſwords of men?* I confeſſe, that (*Magiſtratus eſt lex armata*) the Magiſtrate upon his Bench, is that unto the Law, which a Gunner upon his Platform is unto his Cannon. Nevertheleſſe I ſhould not dare to argue with a man of any ingenuity, after this manner: An whole Army, though they can neither write nor read, are not afraid of a Platform, which they know is but Earth or Stone, nor of a Cannon, which without a hand to give fire unto it, is but cold Iron; therefore a whole Army is afraid of one man. But of this kind is the ratiocination of *Leviathan* (as I ſhall ſhew in divers places that come in my way) throughout his whole Politicks, or worſe; as where he ſaith *of* Ariſtotle *and*

Page 111. *of* Cicero, *of the* Greeks *and of the* Romans, *who lived under popular States, that they derived thoſe rights not from the principles of Nature, but tranſcribed them into their books, out of the practice of their own Common-wealths, as Grammarians deſcribe the rules of Language out of Poets.* Which is as if a man ſhould tell famous *Hervey*, that he tranſcribed his *Circulation* of the *bloud*, not out of the *Principles of Nature*, but out of the *Anatomy* of this or that body.

To go on therefore with this Preliminary Diſcourſe: I ſhall divide it according unto the two definitions of Government relating unto *Janotty's* two Times), into two parts: the *firſt* treating of the Principles of Government in general, and according to the Ancients; the *ſecond* treating of the late Governments

vernments of *Oceana* in particular, and in that of *Modern Prudence*,

Government, according to the Antients, and their learned Disciple *Machiavill*, (the onely Polititian of later Ages) is of three kinds; The Government of *One man*, or of the *better sort*, or of the *whole people*: which by their more learned names are called *Monarchy*, *Aristocracy*, and *Democracy*; these they hold, through their proneneſſe to degenerate, to be all *evill*. For whereas they that govern, ſhould govern according to reaſon; if they govern according unto paſſion, they do that which they ſhould not do: Wherefore as reaſon and paſſion are two things, ſo Government by Reaſon is one thing, and the corruption of Government by Paſſion is another thing, but not alwaies another Government: as a body that is alive is one thing, and a body that is dead is another thing, but not alwaies another Creature, though the corruption of one come at length unto the generation of another. The corruption then of *Monarchy* is called *Tyranny*; that of *Aristocracy*, *Oligarchy*; and that of *Democracy*, *Anarchy*. But *Legiſlators* having found theſe three Governments at the beſt to be naught, have invented another conſiſting of a mixture of them all, which onely is good; this is the *doctrine* of the *Ancients*. Division of Government.

But *Leviathan* is poſitive, that they are all deceived, and that there is no other Government in Nature then one of the three; as alſo that the fleſh of them cannot ſtink, the names of their corruptions being but the names of mens phanſies; which will be underſtood when we are ſhown which of them was *Senatus Populuſq; Romanus*.

To go mine own way, and yet to follow the Ancients: The Principles of Governments are twofold, *Internal*, or the goods of the *Mind*; and *External*, or the goods of *Fortune*. The goods of the mind are natural or acquired virtues, as Wiſdom, Prudence and Courage, &c. The goods of Fortune are Riches. There be goods alſo of the Body, as Health, Beauty, Strength, but theſe are not to be brought unto account upon this ſcore, becauſe if a man or an Army acquire Victory or Empire, it is more from their Diſcipline, Arms, and Courage, then from their natural health, beauty, or ſtrength, in regard that a people conquered may have more of natural ſtrength, beauty and health, and yet find little remedy. The Principles of Government then are in the goods of the *mind*, or in the goods of *fortune*. To the goods of the *mind*, anſwers *Authority*; to the goods of *fortune*, *Power or Empire*. Wherefore *Leviathan*, though he be right where he ſaith, that *Riches are Power*; is miſtaken where he ſaith, that *Prudence, or the reputation of Prudence is power*: for the learning or prudence of a man is no more power, then the learning or prudence of a book or Authour, Goods of the Mind and of Fortune. Empire and Authority.

which is properly Authority; a learned Writer may have authority though he have no power; and a fooliſh Magiſtrate may have power, though he have otherwiſe no eſteem or authority; the difference of theſe two is obſerved by *Livy* in *Evander*, of whom ſaith he, (*regebat magis Authoritate quam Imperio*) he ruled rather by authority then power.

Empire. To begin with Riches, in regard that men are hung upon theſe, not of choice as upon the other, but of neceſſity and by the teeth: for as much as he who wanteth bread, is his ſervant that will feed him: if a man thus feed an whole people, they are under his Empire.

Diviſion of Empire. Empire is of two kinds, *Domeſtick* and *National*, or *Forrain* and *Provinciall*.

Dominion. *Domeſtick Empire* is founded upon *Dominion*.

Domeſtick Empire. Dominion is Propriety reall or perſonall, that is to ſay, in Lands, or in money and goods.

Ballance in Lands. Lands, or the parts and parcels of a Territory, are held by the Proprietor or Proprietors, Lord or Lords of it, in ſome proportion; and ſuch (except it be in a City that hath little or no Land, and whoſe revenue is in Trade) as is the proportion or ballance of dominion or property in Land, ſuch is the nature of the *Empire*.

Abſolute Monarchy. If one man be ſole Landlord of a Territory, or overballance the people, for example, three parts in four, he is Grand Signior; for ſo the Turk is called from his *Property*; and his *Empire* is abſolute *Monarchy*.

Mixed Monarchy. If the Few or a Nobility, or a Nobility with the Clergy be Landlords, or overballance the people unto the like proportion, it makes the *Gothick* ballance (to be ſhewn at large, in the ſecond part of this Diſcourſe) and the *Empire* is mixed *Monarchy*, as that of *Spain*, *Poland*, and late of *Oceana*.

Popular Government. And if the whole people be Landlords, or hold the Lands ſo divided among them, that no one man, or number of men, within the compaſſe of the *Few* or *Ariſtocracy*, overballance them, the *Empire* (without the interpoſition of force) is a *Commonwealth*.

Tyranny. Oligarchy. Anarchy. If force be interpoſed in any of theſe three caſes, it muſt either frame the Government unto the foundation, or the foundation unto the Government; or holding the Government not according unto the ballance, it is not natural, but violent: and therefore if it be at the devotion of a *Prince*, it is *Tyranny*; if at the devotion of the *Few*, *Oligarchy*; or if in the power of the *People*, *Anarchy*: each of which confuſions, the ballance ſtanding otherwiſe, is but of ſhort continuance; becauſe againſt the nature of the ballance, which not deſtroyed, deſtroyeth that which oppoſeth it.

But there be certain other confuſions, which being rooted in the

the ballance are of longer continuance, and of greater horror; as first, where a Nobility holdeth half the Property, or about that proportion, and the people the other half; in which case without altering the ballance, there is no remedy but the one must eat out the other: as the people did the *Nobility* in *Athens*, and the *Nobility* the people in *Rome*. Secondly, when a Prince holdeth about half the Dominion, and the people the other half, which was the case of the *Roman Emperours*, planted partly upon their military Colonies, and partly upon the Senate and the people, the Government becometh a very shambles both of the Princes and the people. Somewhat of this nature are certain Governments at this day; which are said to subsist by confusion. In this case to fix the ballance is, to entail misery: But in the three former not to fix it is, to loose the Government. Wherefore it being unlawfull in *Turky*, that any should possesse Land but the Grand Signior, the ballance is fixed by the *Law*, and that *Empire* firm. Nor, though the Kings often fell, was the Throne of *Oceana* known to shake, untill the Statute of *Alienations* broke the pillars, by giving way unto the Nobility to sell their Estates, (*Si terra recedat, Jonium Ægæo frangat mare.*) *Lacedemon* while she held unto her division of Land made by *Lycurgus*, was immoveable, but breaking that, could stand no longer. This kind of Law fixing the ballance in Lands is called *Agrarian*, and was first introduced by *God himself*, who divided the Land of *Canaan* unto his people by Lots, and is of such virtue, that where ever it hath held, that Government hath not alter'd, except by consent: as in that unparallell'd example of the people of *Israel*, when being in liberty they would needs choose a King. But without an *Agrarian*, Government whether Monarchical, Aristocraticall, or Popular, hath no long Lease.

For Dominion personal or in money, it may now and then stir up a *Metius* or a *Manlius*, which if the *Common-wealth* be not provided with some kind of *Dictatorian* power, may be dangerous, though it have been seldom or never successefull: because unto propriety producing Empire, it is required that it should have some certain root or foot-hold, which, except in Land, it cannot have, being otherwise as it were upon the wing.

Nevertheless, in such Cities as subsist most by Trade, and have little or no Land as *Holland* and *Genoa*; the ballance of Treasure may be equal unto that of Land in the cases mentioned. *Ballance in money.*

But *Leviathan*, though he seem to scew at Antiquity, following his furious Master *Carneades*, hath caught hold of the publick sword, unto which he reduceth all manner and matter of Government; as, where he affirms, *this opinion*, (*that* *Page* 89.

any

any Monarch receiveth his power by Covenant, that is to ſay, upon conditions) to proceed from the not underſtanding the eaſie truth, That covenants being but words and breath, have no power to oblige, contain, conſtrain or protect any man, but what they have from the publick ſword. But as he ſaid of the Law, that without this ſword it is but paper; ſo he might have thought of this ſword, that without an hand it is but cold iron. The hand which holdf eth this ſword is the Militia of a Nation; and the Militia o- a Nation, is either an Army in the field, or ready for the field upon occaſion. But an Army is a beaſt that hath a great belly and muſt be fed; wherefore this will come unto what paſtures you have, and what paſtures you have will come unto the ballance of propriety, without which the publick ſword is but a name or meer ſpit-frog. Wherefore to ſet that which Leviathan ſaith of Arms and of Contracts a little ſtreighter; he that can graze this beaſt with the great belly, as the *Turk* doth his *Timariots*, may well deride him that imagines he received his power by covenant, or is obliged unto any ſuch toy: it being in this caſe onely that covenants are but words and breath. But if the propriety of the Nobility ſtocked with their Tenants and retainers be the paſture of that beaſt, the Ox knowes his Maſters Crib; and it is impoſſible for a King in ſuch a conſtitution, to raign otherwiſe then by Covenant; or if he break it, it is words that comes to blowes.

Arms and Contracts.

Page 90. *But*, ſaith he, *when an Aſſembly of men is made Soveraign, then no man imagineth any ſuch Covenant to have paſt in the Inſtitution.* but what was that by *Publicola*, of appeal unto the people, or that whereby the people had their Tribunes? *Fy, ſaith he, No body is ſo dull as to ſay, that the People of Rome made a Covenant with the* Romans, *to hold the Soveraignty on ſuch or ſuch conditions; which not performed, the* Romans *might depoſe the* Roman *people.* In which there be remarkable things; for firſt, he holdeth the Common-wealth of *Rome* to have conſiſted of one aſſembly, whereas it conſiſted of the Senate and the People; That they were not upon covenant, whereas every Law enacted by them was a covenant between them. That the one Aſſembly was made Soveraign, whereas the people who onely were Soveraign, were ſuch from the beginning, as appears by the ancient ſtyle of their Covenants or Laws (*cenſuere Patres, juſſit Populus*): That a Councill being made Soveraign, cannot be made ſuch upon conditions; whereas the *Decemviri* being a Council that was made Soveraign, was made ſuch upon conditions. That all conditions or covenants making a Soveraign, the Soveraign being made, are void; whence it muſt follow, that the *Decemvirs* being made, were ever after the lawful Government of *Rome*, and that it was unlawful for the Common-wealth of *Rome* to depoſe the *Decemvirs*: as alſo that *Cicero*, if he writ otherwiſe out of his Common-wealth, did not write out of

Page. 89.

Nature.

Nature. But to come unto others that see more of this ballance.

You have *Aristotle* full of it in divers places, especially where he saith, that *Immoderate Wealth, as where One man or the Few have greater possessions than equality or the frame of the Common-wealth will bear, is an occasion of Sedition, which ends for the greater part in Monarchy; and that for this cause the Ostracisme hath been received in divers places, as in* Argos *and* Athens. *But that it were better to prevent the growth in the beginning, then, when it hath gotten head, to seek the remedy of such an evil.* B. 5. 3. 3. 9.

Machiavill hath missed it very narrowly and more dangerously, for not fully perceiving, that if a Common-wealth be galled by the Gentry, it is by their overballance; he speaks of the Gentry as hostile to popular Governments, and of popular Governments as hostile unto the Gentry; and makes us believe, that the people in such are so enraged against them, that where they meet a Gentleman they kill him; which can never be proved by any one example, unless in civill Warr; seeing that even in *Switz* the Gentry are not onely safe, but in honour. But the ballance as I have laid it down, though unseen by *Machiavill*, is that which interpreteth him, and that which he confirmeth by his Judgment in many other as well as in this place, where he concludes, *That he who will go about to make a Common-wealth where there be many Gentlemen, unless he first destroy them, undertakes an impossibility: and that he who goes about to introduce Monarchy where the condition of the people is equal, shall never bring it to passe, unless he cull out such of them as are the most turbulent and ambitious, and make them Gentlemen or Noblemen, not in name but in effect, that is, by enriching them with Lands, Castles, and Treasures, that may gain them power amongst the rest, and bring in the rest unto dependence upon themselves, to the end that they maintaining their ambition by the Prince, the Prince may maintain his power by them.* D. B. 1. C. 55.

Wherefore as in this place I agree with *Machiavill*, that a Nobility or Gentry overballancing a popular Government, is the utter bane and destruction of it; so I shall shew in another, that a Nobility or Gentry in a popular Government not overballancing it, is the very life and soul of it.

By what hath been said, it should seem that we may lay aside farther disputes of the publick Sword, or of the right of the Militia; which, be the Government what it will, or let it change how it can, is inseparable from the overballance in dominion: nor, if otherwise stated by the Law or Custome as in the Common-wealth of *Rome* (*Consules sine lege Curiata rem militarem attingere non potuerunt*) where the people having the sword, the Nobility came to have the overballance; availeth it unto other end than destruction: for as a building swaying from *The right of the Militia stated.*

from the foundation must fall, so the Law swaying from reason, and the Militia from the ballance of *Dominion*. And so much for the ballance of *Nationall* or *Domestick Empire* which is in *Dominion*.

Ballance of forraign Empire.

The ballance of Forraign or Provincial Empire is of a contrary nature. A man may as well say that it is unlawfull for him who hath made a fair and honest purchase to have tenants, as for a Government that hath made a just progresse, and inlargement of it self, to have Provinces. But how a Province may be justly acquired, appertaineth to another place; in this I am to shew no more, then how or upon what kind of ballance it is to be held; in order whereunto, I shall first shew upon what kind of ballance it is not to be held. It hath been said, that National or Independent *Empire*, of what kind soever, is to be exercised by them that have the proper *ballance of Dominion* in the Nation; wherefore Provincial or dependent Empire is not to be exercised by them that have the *ballance of Dominion* in the Province, because that would bring the Government from *Provinciall* and *dependent*, to *National* and *independent*. Absolute *Monarchy*, as that of the *Turks*, neither planteth her people at home nor abroad, otherwise then as Tenants for life or at will; wherefore her *National* and her *provincial* Government is all one. But in Governments that admit the Citizen or Subject unto dominion in Lands, the richest are they that share most of the power at home: whereas the richest among the Provincials, though native Subjects, or Citizens that have been transplanted, are least admitted to the Government abroad: for men like flowers or roots being transplanted take after the soyl wherein they grow. Wherefore the Commonwealth of *Rome*, by planting *Colonies* of her Citizens within the bound of *Italy*, took the best way of propagating her self, and naturalizing the Country; whereas if she had planted such Colonies without the bounds of *Italy*, it would have alien'd the Citizens, and given a root unto liberty abroad, that might have sprung up forraign or savage and hostile to her; wherefore she never made any such dispersion of her self and her strength, till she was under the yoke of her *Emperours*, who disburdening themselves of the people, as having lesse apprehension of what they could do abroad then at home, took a contrary course.

The *Mamaluc's*, (which till any man shew me the contrary, I shall presume to have been a Common-wealth consisting of an Army, whereof the common Souldier was the People, the Commission-Officer the Senate, and the General the Prince) were forraigners, and by Nation *Circussians*, that govern'd *Ægypt*; wherefore these never durst plant themselves upon *Dominion*, which growing naturally up into the National interest,

tereſt muſt have diſſolved the forraign yoke in that Province.

The like in ſome ſort may be ſaid of *Venice*, the Government whereof is uſually miſtaken: for *Venice*, though ſhe do not take in the people, never excluded them. This *Common-wealth*, the Orders whereof are the moſt *Democratical* or *Popular* of all others, in regard of the exquiſite *Rotation* of the *Senate*, at the firſt inſtitution took in the *whole people*; they that now live under the Governments without participation of it, are ſuch as have ſince either voluntarily choſen ſo to do, or were ſubdued by Arms. Wherefore the Subject of *Venice* is governed by *Provinces*, and the ballance of *Dominion* not ſtanding, as hath been ſaid, with Provincial Government: as the *Mamaluc's* durſt not caſt their Government upon this *ballance* in their *Provinces*, leſt the *National* intereſt ſhould have rooted out the *forraign*; ſo neither dare the *Venetians* take in their Subjects upon this ballance, leſt the *forraign* intereſt ſhould root out the *Nationall*, which is that of the 3000 now governing; and by diffuſing the Common-Wealth throughout her Territories, loſe the advantage of her *ſituation*, by which in a great part ſhe ſubſiſteth. And ſuch alſo is the Government of the *Spaniard* in the *Indies*, unto which he deputeth Natives of his own Country, not admitting the *Creolios* unto the Government of thoſe Provinces; though deſcended from *Spaniards*.

But if a *Prince* or a *Common-wealth* may hold a Territory that is *forraign* in this, it may be asked, why he may not hold one that is *Native* in like manner? To which I anſwer, becauſe he can hold a *forreign* by a *Native* territory, but not a *Native* by a *Forreign*; and as hitherto I have ſhewn what is not the *Provinciall ballance*, ſo by this anſwer it may appear what it is, namely the *overballance* of a native Territory to a forraign; for as one Country ballanceth it ſelf by the diſtribution of propriety according unto the proportion of the ſame, ſo one Country overballanceth another, by advantage of divers kinds. For example, the *Common-wealth of Rome overballanced her provinces* by the *vigour* of a more excellent Government oppoſite unto a *crazier*, or by a more *exquiſite Militia* oppoſed unto one *inferiour in Courage or diſcipline*: The like was that of the *Mamaluc's* being an *hardy*, unto the *Ægytians* that were a *ſoft people*. And the *ballance* of a *ſituation* is in this kind, of wonderfull effect; ſeeing the *King of Denmark*, being *none of the moſt potent Princes*, is able at the *Sound* to take Tole of the *greateſt*: and as this *King* by the advantage of the *Land* can make the *Sea* tributary; ſo *Venice*, by the advantage of the *Sea*, in whoſe arms ſhe is impregnable, can make the *Land* to feed her *Gulph*. For the Colonies in the *Indies*, they are yet babes that cannot live without ſucking the breaſts of their mother-Cities, but ſuch as, I miſtake, if when they come of age they do not wean themſelves: which cauſeth me to wonder at Princes that delight to be exhauſted in that way. And

so much for the principles of power whether *National or Provinciall, Domestick or Forraign*; being such as are External, and founded in the goods of Fortune.

Authority. I come unto the principles of *Authority*, which are Internall, and founded upon *the goods of the Mind*; These the *Legislator* that can unite in his Government with those of fortune, cometh neerest unto the work of God, whose Government consisteth of Heaven and Earth: which was said by *Plato*, though in different words, as, when Princes should be Philosophers, or Philosophers Princes, the world would be happy; and saith *Solomon, There is an evil which I have seen under the Sun, which proceedeth from the Ruler,* (*enimvero neq; nobilem, neq; ingenuum, nec libertinum quidem armis præponere, regia utilitas est,*) *folly is set in great dignity, and the rich* (either in vertue and wisdome, in the goods of the mind, or those of fortune upon that ballance which giveth them a sense of the Nationall interest) *sit in low places. I have seen servants upon horses, and Princes walking as servants upon the earth.* Sad complaints, that the principles of Power and of Authority, the goods of the mind, and of fortune, do not meet and twine in the wreathe or Crown of Empire! Wherefore if we have any thing of Piety or of prudence, let us raise our selves out of the mire of private interest, unto the contemplation of Virtue, and put an hand unto the removal of *this Evil from under the Sun*; this evil against which no Government that is not secured, can be good; this evill from which the Government that is secure, must be perfect. *Solomon* tells us, that the cause of it is from the *Ruler*, from those principles of power which ballanced upon earthly trash, exclude the heavenly treasures of Virtue, and that influence of it upon Government, which is *Authority*. We have wandered the Earth to find out the ballance of power: but to find out that of Authority, we must ascend, as I said, nearer Heaven, or to the Image of God, which is the Soul of man.

Eccl. 10. 15. *Tacit. Grot.*

The Soul of man (whose life or motion is perpetual *contemplation* or thought) is the *Mistris* of two potent *rivalls*, the one *Reason*, the other *Passion*, that are in continuall suit; and according as she gives up her will to these or either of them, is the felicity or misery which man partakes in this mortall life.

For as what ever was *passion* in the *contemplation* of a man, being brought forth by his will into *action*, is *vice* and the *bondage of Sin*; so what ever was *reason* in the *contemplation* of a man, being brought forth by his *will* into *action*, is *virtue* and the *freedome of Soul*.

Again, as those *actions* of a man that were *sin*, acquire unto himself *repentance* or *shame*, and affect others with *scorn* or *pity*;

so

ſo thoſe *actions* of a man that are *virtue*, acquire unto himſelf *Honour*, and upon others *Authority*.

Now Government is no other then the Soul of a Nation or City: wherefore that which was *reaſon* in the *debate* of a *Common-wealth*, being brought forth by the *reſult*, muſt be *virtue*; and for as much as the Soul of a City or Nation is the *Soveraign power*, her *virtue* muſt be *Law*. But the *Government* whoſe *Law* is *virtue*, and whoſe *virtue* is *law*, is the ſame, whoſe *Empire* is *Authority*, and whoſe *Authority* is *Empire*.

Again, if the liberty of a man conſiſt in the *Empire* of his *reaſon*, the abſence whereof would betray him unto the *bondage* of his *paſſions*: Then the *liberty* of a *Common-wealth* conſiſteth in the *Empire* of her *Lawes*, the abſence whereof would betray her unto the *luſts* of *Tyrants*: and theſe I conceive to be the *principles*, upon which *Ariſtotle* and *Livy* (injuriouſly accuſed by *Leviathan* for not writing out of nature) have grounded their aſſertion, that *a Common-wealth is an Empire of Lawes and not of Men*. But they muſt not carry it ſo. For, ſaith he, *The liberty, whereof there is ſo frequent and honourable mention in the Hiſtories and Philoſophy of the ancient Greeks and Romans, and the writings and Diſcourſes of thoſe that from them have received All their Learning in the Politicks, is not the liberty of particular men, but the liberty of the Common-wealth.* *page* 110. He might as well have ſaid, that the Eſtates of particular men in a *Common-wealth*, are not the riches of particular men, but the riches of the *Common-wealth*; for equality of eſtates cauſeth equality of power, and equality of power is the *liberty* not onely of the *Common-wealth*, but of every man. But ſure a man would never be thus irreverent with the greateſt Authors, and poſitive againſt all Antiquity, without ſome certain demonſtration of truth; and, what is it? Why, *there is written on the Turrets of the City of* Luca *in great Characters at this day the word* LIBERTAS, *yet no man can thence infer, that a particular man hath more liberty or immunity from the ſervice of the Common-wealth there, then in* Conſtantinople. *Whether a Common-wealth be Monarchical or Popular, the freedom is the ſame.* The Mountain hath brought forth, and we have a little equivocation! For to ſay, that a *Lucheſe* hath no more liberty or immunity *from* the Laws of *Luca*, then a *Turk* hath from thoſe of *Conſtantinople*; and to ſay that a *Lucheſe* hath no more liberty or immunity *by* the Lawes of *Luca*, then a *Turk* hath by thoſe of *Conſtantinople*, are pretty different ſpeeches: the firſt may be ſaid of all Governments alike; the ſecond ſcarſe of any two; much leſſe of theſe, ſeeing it is known, that whereas the greateſt *Baſhaw* is a Tenant as well of his head, as of his eſtate, at the will of his Lord; the *meaneſt Lucheſe* that hath Land, is a freeholder of both, and not to be controlled but by the Law, and that framed by every private

man unto no other end, (or they may thank themſelves) then to protect the liberty of every private man, which by that means comes to be the liberty of the Common-wealth.

But ſeeing they that make the Lawes in *Common-wealths* are but men, the main queſtion ſeems to be, how a *Common-wealth* comes to be an Empire of Lawes, and not of Men? or how the *debate* or *reſult* of a *Common-wealth* is ſo ſure to be according unto *reaſon*; ſeeing they who *debate*, and they who *reſolve* be but men. *And as often as reaſon is againſt a man, ſo often will a man be againſt reaſon.*

This is thought to be a ſhrewd ſaying, but will do no harm; for be it ſo, that *reaſon* is nothing but *intereſt*, there be divers *intereſts*, and ſo divers *reaſons*.

As firſt, there is *Private Reaſon*, which is the *intereſt* of a *private man*.

Secondly, there is *Reaſon of State*, which is the intereſt (or errour as was ſaid by *Solomon*) of the *Ruler* or *Rulers*, that is to ſay, of the *Prince*, of the *Nobility*, or of the *People*.

Thirdly, there is that *Reaſon* which is the intereſt of mankind,
Hooker. B. 1. or of the whole. *Now if we ſee even in thoſe natural agents that want ſenſe, that as in themſelves they have a Law which directeth them, in the means whereby they tend to their own perfection, ſo likewiſe that another Law there is, which toucheth them as they are ſociable parts united into one body, a Law which bindeth them each to ſerve unto others good, and all to prefer the good of the whole, before whatſoever their own particular; as when ſtones or heavy things forſake their ordinary wont or center, and fly upwards, as if they heard themſelves commanded to let go the good they privately wiſh, and to relieve the preſent diſtreſſe of Nature in common.* There is a common right, Law of Nature, or intereſt of the whole; which is more excellent, and ſo acknowledged to be by the agents themſelves, then the right or intereſt of the parts onely. *Wherefore though it may be truly ſaid, that the creatures are naturally carried forth, unto their proper utility or profit: that ought not to be taken in too general a ſenſe; ſeeing divers of them abſtain from their own profit, either in regard of thoſe of the ſame kind, or at the leaſt of their young.*
Grot.

Mankind then muſt either be leſſe juſt then the *creature*, or acknowledge alſo his *common intereſt* to be *common right*. And if *reaſon* be nothing elſe but *intereſt*, and the *intereſt of mankind* be the *right intereſt*, then the *reaſon of mankind* muſt be *right reaſon*. Now compute well, for if the *intereſt* of *popular Government* come the neareſt unto the *intereſt* of *mankind*, then the *reaſon* of *popular Government* muſt come the neareſt unto *right reaſon*.

But it may be ſaid, that the difficulty remains yet; for be the intereſt of *popular Government right reaſon*, a man doth not look

look upon *reaſon* as it is *right* or *wrong* in it *ſelf*, but as it makes for him or againſt him: wherefore unleſſe you can ſhew ſuch *orders* of a *Government*, as like thoſe of *God* in *nature* ſhall be able to conſtrain this or that *creature* to ſhake off that *inclination* which is more peculiar unto it, and take up that which regards the *common good* or *intereſt*; all this is to no more end, then to perſwade every man in a *popular Government*, not to carve himſelf of that which he deſires moſt, but to be mannerly at the publick Table, and give the beſt from himſelf unto decency and the *common intereſt*. But that ſuch *orders* may be eſtabliſhed, as may, nay muſt give the upper hand in all caſes unto *common right* or *intereſt*, notwithſtanding the nearneſſe of that which ſticks unto every man in private, and this in a way of equal certainty and facility, is known even unto *girles*, being no other then thoſe that are of common practice with them in divers caſes. For example, two of them have a Cake yet undivided, which was given between them, that each of them therefore may have that which is due: Divide, ſayes one unto the other, and I will chooſe; or let me divide, and you ſhall chooſe: if this be but once agreed upon, it is enough: for the divident, dividing unequally loſes, in regard that the other takes the better half; wherefore ſhe divides equally, and ſo both have right. *O the depth of the wiſdom of God!* and yet *by the mouthes of babes and ſucklings hath he ſet forth his ſtrength*; that which great *Philoſophers* are diſputing upon in vain, is brought unto light by two *ſilly girles*, even the whole *myſtery* of a *Common-wealth*: which lyes only in *dividing and chooſing*: nor hath *God* (if his works in nature be underſtood) left ſo much unto *mankind* to diſpute upon, as who ſhall divide, and who chooſe, but diſtributed them for ever into two *orders*, whereof the one hath the naturall right of dividing, and the other of chooſing. For Example:

The orders of popular Government in Nature.

A *Common-wealth* is but a civill Society of men: let us take any number of men (as twenty), and forthwith make a *Common-wealth*: *twenty men* (if they be not all *ideots*, perhaps if they be) can never come ſo together, but there will be ſuch difference in them, that about a *third* will be *wiſer*, or at leaſt *leſſe fooliſh* then all the reſt; theſe upon acquaintance though it be but ſmall, will be diſcovered, and (as Stags that have the largeſt heads) lead the herd; for while the *ſix* diſcourſing and arguing one with another, ſhew the eminence of their parts, the *fourteen* diſcover things that they never thought on; or are cleared in divers truths which had formerly perplexed them: wherefore in matter of common concernment, difficulty or danger, they hang upon their lips as *children* upon their *fathers*, and the *influence* thus acquired by the *ſix*, the eminence of whoſe parts, is found to be a ſtay and comfort to the

the *fourteen*, is (AUTHORITAS PATRUM) the *authority of the Fathers*. Wherefore this can be no other then a *naturall Ariſtocracy* diffuſed by *God* throughout the whole body of *mankind*, to this end and purpoſe; and therefore ſuch, as the *people*, have not only a natural, but a poſitive obligation to make uſe of as their *guides*; as where the *people* of *Iſrael* are commanded to *take wiſe men and underſtanding and known among their Tribes, to be made Rulers over them*; the *ſix* then approved of, as in the preſent caſe, are the *Senate*, not by *hereditary right*, or in regard of the *greatneſſe of their eſtates* onely, which would tend unto ſuch power as might force or *draw the people*; but by *election* for *their excellent parts*, which tendeth unto the advancement of the influence of their *virtue* or *authority* that *leads the people*. Wherefore the *office* of the *Senate*, is not to be *Commanders* but *Counſellors* of the people; and that which is proper unto *Counſellors*, is firſt to *debate* the buſineſſe whereupon they are to give *advice*, and afterward to give *Advice* in the buſineſs whereupon they have debated; whence the *Decrees* of the *Senate* are never *Lawes*, nor ſo called, but SENATUSCONSULTA, and theſe being naturally framed, it is their duty (FERRE AD POPULUM) to *propoſe* in the *caſe* unto the *people*. Wherefore the *Senate* is no more then the *debate* of the *Common-Wealth*: But to *debate* is to *diſcern* or put a difference between things that being alike are not the ſame, or it is *ſeparating* and *weighing* this reaſon againſt that, and that reaſon againſt this, which is *dividing*.

Deut. 1. 13.

The People. The *Senate* then having *divided*, who ſhall chooſe? Ask the *girles*; for if ſhe that divided muſt have choſen alſo, it had been little worſe for the other, in caſe ſhe had not *divided* at all, but kept the whole Cake unto her ſelf, in regard that being to chooſe too, ſhe divided accordingly. Wherefore if the *Senate* have any farther power than to *divide*, the *Common-wealth* can never be equall. But in a *Common-wealth* conſiſting of a *ſingle Councill*, there is no other to *chooſe* then that which *divided*; whence it is, that ſuch a *Councill* faileth not to *ſcramble*, that is, to be *factious*; there being no other *dividing* of the cake in that caſe but among *themſelves*.

Nor is there any remedy but to have another *Councill* to *chooſe*. The wiſdom of the *Few* may be the *light of Mankind*; but the *intereſt* of the *Few* is not the *profit of Mankind*, nor of a *Common-wealth*; wherefore ſeeing we have granted *intereſt* to be *reaſon*, they muſt not *chooſe*, leſt it put out their *light*; but as the *Council dividing* conſiſteth of the *Wiſdom* of the *Common-wealth*, ſo the *Aſſembly* or *Councill chooſing*, ſhould conſiſt of the *intereſt* of the *Common-wealth*: as the wiſdom of the *Common-wealth* is in the *Ariſtocracy*, ſo the *intereſt* of the *Common-wealth* is in the whole *body of the People*: and whereas this, in caſe the

Common-

Common-wealth consist of an whole Nation, is too unweildy a body to be assembled, this *Councill* is to consist of such a Representative as may be equall, and so constituted, as can never contract any other interest then that of the *whole people*; the manner whereof being such as is best shewn by *exemplification*, I remit unto the *Modell*. But in the present case, the *six dividing*, and the *fourteen choosing*, must of necessity take in the whole interest of the *twenty*.

Dividing and *choosing* in the language of a *Common-wealth* is *debating* and *resolving*; and whatsoever upon *debate* of the *Senate* is *proposed* unto the *people*, and *resolved* by them is *enacted* (AUTHORITATE PATRUM ET JUSSU POPULI) by the authority of the Fathers, and the power of the people, which concurring make a *Law*.

The Magistracy.

But the Law being made, saith *Leviathan*, *is but words and paper without the hands and swords of men*; wherefore as those two *orders* of a *Common-wealth*, namely the *Senate* and the *people* are *Legislative*, so of necessity there must be a *third* to be *executive* of the *Lawes* made, and this is the *Magistracy*; in which *order* with the rest being wrought up by *art*, the *Common-wealth* consisteth of the *Senate proposing*, *the People resolving*, *and the Magistracy executing*: whereby partaking of the *Aristocracy* as in the *Senate*, of the *Democracy* as in the *People*, and of *Monarchy* as in the *Magistracy*, it is *compleat*. Now there being no other *Common-wealth* but this in *Art* or *Nature*, it is no wonder if *Machiavill* have shew'd us, that the *Ancients* held this onely to be good; but it seemeth strange to me, that they should hold, that there could be any other: for if there be such a thing as *pure Monarchy*, yet that there should be such an one as *pure Aristocracy*, or *pure Democracy*, is not in my understanding. But the *Magistracy* both in number and function is different in different *Common-wealths*: nevertheless there is one condition of it, that must be the same in Every one, or it dissolves the Common-wealth where it is wanting: And this is no lesse then that as the *hand* of the *Magistrate* is the *executive power* of the *Law*, so the *head* of the *Magistrate* is answerable unto the *people*, that his *execution* be according unto the Law, by which *Leviathan* may see, that the hand or sword that executeth the Law is *in* it, and *not above* it.

The Order of a Common-wealth in experience, as that of Israel.

Now whether I have rightly transcribed these *Principles* of a *Common-wealth* out of *Nature*, I shall appeal unto *God* and to the *world*. Unto *God* in the *Fabrick* of the *Common-wealth* of *Israel*: and unto the *world* in the universal *Series* of *ancient prudence*. But in regard the same *Common-wealths* will be open'd at large in the Council of *Legislators*, I shall touch them for the present, but sleightly; beginning with that of *Israel*.

Of Israel.

The *Common-wealth of Israel* consisted of the *Senate*, the *People*, and the *Magistracy*.

The

The *People* by their firſt *diviſion*, which was *genealogicall*, were contained under their *ten Tribes*, houſes or families; whereof the firſt born in each was *Prince* of his *Tribe*, and had the leading of it (*Numb.* 1.) the Tribe of *Levi* onely being ſet a part to ſerve at the *Altar*, had no other *Prince* but the *High Prieſt*. In their ſecond *diviſion* they were divided *locally* by their *Agrarian*, (Joſ. c.13. to c.42.). or the *diſtribution* of the *Land* of *Canaan* unto them by *Lot*, the *tythe* of all remaining unto *Levi*; whence according unto their *locall* diviſion, the *Tribes* are reckon'd but twelve.

The People. The *Aſſemblies* of the people thus divided were *methodically gathered* by *Trumpets* (Num.10.7.) unto the *Congregation*; which was it ſhould ſeem of *two ſorts*. For if it were called by one *trumpet* onely, the *Princes of the Tribes* and the *Elders* onely aſſembled, (*Numb.* 10. 4.) but if it were called with *two*, the *whole people* gathered themſelves unto the *Congregation*, (Num.10.3.) for ſo it is rendred by the Engliſh: but in the Greek it is called *Eccleſia*, or the Church of God, (*Judg.*20.2.) and by the *Talmudiſt*, *Synagoga magna*. The word *Eccleſia* was alſo anciently and properly uſed for the *Civil Congregations* or *Aſſemblies* of the people in *Athens*, *Lacedemon*, and *Epheſus*, where it is ſo called in Scripture, (*Acts* 19.23.) though it be otherwiſe rendred by the *Tranſlators*, not much as I conceive to their commendations; ſeeing by that means they have loſt us a good leſſon, the *Apoſtles* borrowing that name for their *ſpiritual Congregations*, to the end that we might ſee they intended the *Goverment* of the *Church* to be *Democratical* or *Popular*, as is alſo plain in the reſt of their conſtitutions.

The *Church* or *Congregation* of the people of *Iſrael*, aſſembled in a *Military* manner, (*Judg.* 20. 2.) and had the *reſult* of the *Common-wealth*, or the power of confirming all their Lawes, though propoſed even by God himſelf, as where they make him King, (*Exod.* 19.) And where they reject or *depoſe* him as *Civil Magiſtrate*, and elect *Saul*, (1 *Sam.*8.7.) it is manifeſt that he giveth no ſuch example unto a Legiſlator in a popular Government, as to deny or evade the power of the *people*, which were a *contradiction*: but, though he deſervedly blame the ingratitude of the people in that action, commandeth *Samuel*, being next under himſelf *Supream Magiſtrate*, *to hearken unto their voyce*, (for where the *ſuffrage* of the people goes for nothing, it is no *Common-wealth*) and comforteth him, ſaying, *They have not rejected thee, but they have rejected me, that I ſhould not reign over them.* But to reject him that he ſhould not reign over them, was as Civill Magiſtrate to depoſe him. The power therefore which the people had to *depoſe* even God himſelf as he was *Civil Magiſtrate*, leaveth little doubt, but that they had power to have rejected any of thoſe Lawes confirmed by them

them throughout the *Scripture*, which (to omit the ſeverall parcels) are generally contained (*Deut.* 29.) under two heads, thoſe that were made by *Covenant* with the people in the Land of *Moab*, and thoſe which were made by *Covenant* with the people *in Horeb*: which two, I think, amount unto the whole body of the *Iſraelitiſh* Lawes: but if all and every one of the *Lawes* of *Iſrael* being *propoſed* by *God*, were no otherwiſe *enacted* than by *Covenant* with the *people*, then that onely which was *reſolved* by the *people of Iſrael*, was their *Law*; and ſo the *reſult* of that *Common-wealth* was in the *people*. Nor had the people the *reſult* only in matter of *Law*: but the *power* in ſome caſes of *Judicature*, (Joſ. 7. 16. Judg. 20. 8, 9, 10.) as alſo the *right of levying War*, (Judg. 20. 8, 9, 10. 1 Sam. 7. 6, 7, 8.) *cognizance in matter of Religion*, (1 Chron. 13. 2. 2 Chron. 30. 4.) and the *election* of their *Magiſtrates*, as the *Judge or Dictator*, (Judg. 11. 11.) *The King*, (1 Sam. 10. 17.) *The Prince*, (1 Machab. 14.) which functions were exerciſed by the *Synagoga magna*, or *Congregation* of *Iſrael* not alwayes in one manner: for ſometimes they were performed by the *ſuffrage* of the *people*, *vivâ voce*, (Ex. 9. 3, 4, 5.) ſometimes by the *Lot onely*, (Joſ. 7. 1 Sam. 10.) and of others by the *Ballot* or by a mixture of the lot with the ſuffrage, as in the caſe of *Eldad and Medad*, which I ſhall open with the Senate.

The *Senate of Iſrael* called in the Old Teſtament the *ſeventy Elders*: and in the New the *Sanhedrim*; which word is uſually tranſlated the *Council*: was appointed by *God*, and conſiſted of *Seventy Elders* beſides *Moſes*, (Num. 11.) which were at the firſt *elected by the people*, (Deut. 1.) but in what manner, is rather intimated (*Numb.* 11.) then ſhewn: nevertheleſſe, becauſe I cannot otherwiſe underſtand the paſſage concerning *Eldad and Medad*, of whom it is ſaid, *that they were of them that were written, but went not up unto the Tabernacle*; then with the *Talmudiſts*, I conceive that *Eldad* and *Medad* had the ſuffrage of the *Tribes*, and ſo were written *as competitors* for *Magiſtracy*; but coming afterwards unto the *Lot*, failed of it, and therefore went not up unto the *Tabernacle*, or place of confirmation by *God*, or to the *Seſſion-houſe of the Senate* with the *Seventy* upon whom the *lot* fell to be *Senators*: for the *Seſſion houſe* of the *Sanhedrim* was firſt in the Court of the *Tabernacle*, and afterwards in that of the *Temple*, where it came to be called the *Stone Chamber* or *Pavement*, (John) If this were the *Ballot* of *Iſrael*, that of *Venice* is the ſame tranſpoſed: for in *Venice* the *competitor* is choſen as it were by the *lot*, in regard that the *Electors* are ſo made, and the *Magiſtrate* is choſen by the *Suffrage of the great Council or Aſſembly of the people*. But the *Sanhedrim* of *Iſrael* being thus conſtituted, *Moſes* for his time, and after him his *ſucceſſour*, ſate in the midſt of it as *Prince or Archon*, *The Senate.*

and at his left hand the *Orator* or *Father of the Senate*, the reſt of the bench coming round with either horn like a *Creſcent*, had a Scribe attending upon the tip of it.

The *Senate* in regard that the *Legiſlator of Iſrael was* infallible, and the *Lawes* given by *God*, ſuch as were not fit to be alter'd by men, is much different in the exerciſe of their power from all other *Senates*, except that of the *Areopagites* in *Athens*, which alſo was little more then a *Supream Judicatory*; for it will hardly, as I conceive, be found that the *Sanhedrim* propoſed unto the people, till the return of the Children of *Iſrael* out of Captivity under *Eſdras*, at which time there was a new *Law* made, namely, for a kind of excommunication, or rather baniſhment, which had never been before in *Iſrael*: nevertheleſſe it is not to be thought that the *Sanhedrim* had not alwaies that right, which from the time of *Eſdras* it more frequently exerciſed, of *propoſing* unto the *people*, but that they forbare it in regard of the fulneſſe and infallibility of the *Law* already made, whereby it was needleſſe. Wherefore the function of this *Council*, which is very rare in a *Senate*, was *executive*, and conſiſted in the adminiſtration of the *Law* made (*Deut.*17.9,10,11.); and whereas the *Council* it ſelf, is often underſtood in *Scripture* by the *Prieſt* and the *Levite*: there is no more in that, ſave onely that the *Prieſts* and the *Levites*, who otherwiſe had no power at all, being in the younger years of this *Common-wealth*, thoſe that were beſt ſtudied in the Lawes were the moſt frequently elected into the *Sanhedrim*. For the Courts conſiſting of three and twenty Elders ſitting in the gates of every City, and the *Triumvirates* of *Judges*, conſtituted almoſt in every village, which were parts of the executive Magiſtracy ſubordinate unto rhe *Sanhedrim*, I ſhall take them at better leiſure, and in the larger Diſcourſe; but theſe being that part of this Common-Wealth which was inſtituted by *Moſes* upon the advice of *Jethro* the Prieſt of *Midian*, (Exo. 18.) as I conceive an Heathen; are unto me a ſufficient warrant even from God himſelf who confirmed them, to make farther uſe of humane prudence where ever I find it, bearing a teſtimony unto it ſelf, whether in Heathen *Common-Wealths* or others. And the rather, becauſe ſo it is, that we who have the *holy Scriptures*, and in them the Original of a *Common-wealth* made by the ſame hand that made the World, are either altogether blind or negligent of it, while the Heathens have all written theirs, as if they had had no other Copy. As, to be more brief in the preſent account of that which you ſhall have more at large hereafter,

The Magiſtracy.

Athens conſiſted of the *Senate* of the *Bean* propoſing, of the *Church* or *Aſſembly* of *the* people *reſolving* and too often *debating*, which was the ruine of it, as alſo of the Senate of the *Areopagites*,

Areopagites, the 9. *Archons*, with divers other Magistrates *executing*.

Lacedemon consisted of the *Senate proposing*, of the *Church* or Congregation of the people *resolving* onely, *and never debating*; which was the long life of it; and of the two *Kings*, the Court of the *Essors*, with divers other Magistrates *executing*. *Of Lacedemon.*

Carthage consisted of the *Senate* proposing and sometimes *resolving* too, of the people *resolving* and sometimes *debating* too, for which fault she was reprehended by *Aristotle*, and she had her *Suffetes*, and her *hundred* men with other Magistrates executing. *Of Carthage*

Rome consisted of the *Senate proposing*, the *Concio* or people *resolving* and too often *debating*, which caused her storms; as also of the Consuls, Censors, Ædiles, Tribunes, Prætors, Quæstors, and other Magistrates *executing*. *Of Rome.*

Venice consisteth of the *Senate* or *Pregati proposing*, and sometimes *resolving too*, of the great *Council* or *Assembly* of the people, in whom the *result* is *constitutively*; as also of the *Doge*, the *Signory*, the *Censors*, the *Dieci*, the *Quazancies*, and other Magistrates executing. *Of Venice.*

The proceeding of the *Common-wealths* of *Switzerland* and *Holland* is of a like nature, though after a more obscure manner; for the *Soveraignties*, whether *Cantons Provinces* or *Cities*, which are the *people*, send their *Deputies* Commissioned and instructed by themselves (wherein they reserve the *result* in their own power) unto the *Provincial* or general *Convention* or *Senate*, where the *Deputies debate*, but have no other power of *result* then what was conferred upon them by the *people*, or is farther conferred by the same upon farther occasion. And for the *executive* part they have *Magistrates* or *Judges* in every *Canton Province* or *City*; besides those which are more publick, and relate unto the *league*, as for controversies between one *Canton*, *Province* or *City*, and *another*, or the like between such persons as are not of the same *Canton Province* or *City*. *Of Switz & Holland.*

But that we may observe a little farther how the Heathen Polititians have written, not onely out of *nature*, but as it were out of *Scripture*: As in the *Common-wealth of Israel*, *God* is said to have been *King*; so the *Common-wealth* where the Law is *King*, is said by *Aristotle* to be *Kingdom of God*. And where by the *lusts* or *passions* of *men*, a *power* is set above that of the *Law* deriving from *reason*, which is the *dictate of God*; *God* in that sense is *rejected or deposed* that he should not reign over them, as he was in *Israel*. And yet *Leviathan* will have it, that *by reading of these Greek and Latine* (he might as well in this sense have said, Hebrew) *Authors, young men and all others that are unprovided of the antidote of solid reason, receiving a strong and delightfull impression of the great exploits of War, atchieved by the Conductors of* *Page 170.*

their Armies, receive withall a pleasing Idea of all they have done besides: and imagine their great prosperity, not to have proceeded from the emulation of particular men, but from the virtue of their popular form of Government: not considering the frequent seditions and Civil wars produced by the imperfection of their Policy. Where first the blame he layes to the Heathen Authors, is in his sense laid unto the *Scripture*; and whereas he holds them to be *young men*, or men of no antidote that are of like opinions, it should seem that *Machiavill* the sole retreiver of this *ancient Prudence*, is to his solid reason a beardlesse boy that hath newly read *Livy*: and how solid his reason is, may appear; Where he grants the great prosperity of ancient *Common-wealths*: which is to give up the controversie: For such an effect must have some adequate cause; which to evade, he insinuates, that it was nothing else but the emulation of particular men; as if so great an emulation could have been generated without as great virtue; so great virtue without the best education; the best education without the best Lawes; or the best Lawes any otherwise then by the excellency of their policy.

But if some of these *Common-Wealths* as being lesse perfect in their policy then others, have been more seditious, it is not more an argument of the infirmity of this or that *Common-wealth* in particular, then of the excellency of that kind of Policy in generall, which if they that have not altogether reached, have nevertheless had greater prosperity; what would befall them that should reach?

In answer to which question, let me invite *Leviathan*, who of all other Governments giveth the advantage unto Monarchy for perfection, to a better disquisition of it, by these three assertions:

The first, That the perfection of Government lyeth upon such a libration in the frame of it, that no man or men, in or under it, can have the interest; or having the interest, can have the power to disturb it with sedition.

The second, That Monarchy reaching the perfection of the kind, reacheth not unto the perfection of Government, but must have some dangerous flaw in it.

The third, That Popular Government reaching the perfection of the kind, reacheth the perfection of Government; and hath no flaw in it.

The first assertion requireth no proof.

For the proof of the second; *Monarchy*, as hath been shewn, is of two kinds, the one by *Arms*, the other by a *Nobility*; and there is no other kind in art or nature: for if there have been anciently some Governments called *Kingdoms*, as one of the *Gothes* in *Spain*, and another of the *Vandals* in *Africa*, where the *King* ruled without a *Nobility*, and by a *Council* of the people

ple only; it is expreſly ſaid by the Authors that mention them, that the *Kings* were but the *Captains*, and that the people not onely gave them Lawes, but depoſed them as often as they pleaſed; nor is it poſſible in reaſon that it ſhould be otherwiſe in like caſes: wherefore theſe were either no *Monarchies*, or had greater flawes in them then any other.

But for a *Monarchy* by *Arms* as that of the *Turk*, (which of all models that ever were cometh up unto the perfection of the kind) it is not in the wit or power of man to cure it of this dangerous flaw, That the *Janizaries* have frequent intereſt and perpetual power to raiſe *ſedition*, and to tear the *Magiſtrate*, even the *Prince* himſelf, in pieces. Therefore the *Monarchy* of *Turky* is no perfect *Government*.

And for a *Monarchy* by a *Nobility* as of late in *Oceana* (which of all other models before the declination of it came up to the perfection in that kind) it was not in the power or wit of man to cure it of that dangerous flaw; That the *Nobility* had frequent *intereſt* and *perpetuall power* by their *retainers* and *tenants* to raiſe *ſedition*, and (whereas the *Janizaries* occaſion this kind of calamity, no ſooner then they make an end of it) to levy a laſting War, unto the vaſt effuſion of blood, and that even upon occaſions wherein the people, but for their dependance upon their Lords had no concernment, as in the *Fewd* of the *Red and White*. The like hath been frequent in *Spain*, *France*, *Germany*, and other *Monarchies* of this kind; wherefore *Monarchy* by a *Nobility* is no perfect *Government*.

For the proof of the third Aſſertion, *Leviathan* yieldeth it unto me, that there is no other *Common-wealth* but *Monarchical* or *Popular*: wherefore if no *Monarchy* be a perfect *Government*, then either there is no perfect *Government*, or it muſt be *popular*; for which kind of conſtitution I have ſomething more to ſay, then *Leviathan* hath ſaid, or ever will be able to ſay for *Monarchy*; as,

1. That it is the Government that was never conquered by any Monarch, from the beginning of the World unto this day: for if the *Common-wealth* of *Greece* came under the yoke of the Kings of *Macedon*, they were firſt broken by themſelves.

2. That it is the *Government* that hath frequently led mighty *Monarchs* in Triumph.

3. That it is the *Government*, which if it have been *Seditious*, it hath not been from any imperfection in the *kind*, but in the *particular conſtitution*; which where ever the like hath happened, muſt have been unequall.

4. That it is the *Government*, which if it have been any thing near *equall*, was never *ſeditious*; or let him ſhew me what *ſedition* hath happened in *Lacedemon* or *Venice*.

5. That it is the *Government*, which attaining unto perfect *equality*,

equality, hath ſuch a *libration* in the frame of it, that no man living can ſhew which way any man or men in or under it, can contract any ſuch *intereſt* or *power* as ſhould be able to diſturb the *Common-wealth* with *ſedition*; wherefore an *equal Common-wealth* is that onely which is without flaw, and containeth in it the full perfection of Government. But to return.

By what hath been ſhewn in *reaſon* and *experience* it may appear, that though *Common-wealths* in generall be *Governments* of the *Senate propoſing*, *the people reſolving*, *and the Magiſtracy executing*; yet ſome are not ſo good at theſe *orders* as others, through ſome impediment or defect in the frame, ballance, or capacity of them, according unto which they are of divers kinds.

Diviſion of Common-wealths.

The firſt diviſion of them is into ſuch as are ſingle as *Iſrael*, *Athens*, *Lacedemon*, &c. and ſuch as are by *leagues*, as thoſe of the *Achæans*, *Ætolians*, *Lyceans*, *Switz* and *Hollanders*.

The ſecond (being *Machiavil's*) is into ſuch as are for *preſervation*, as *Lacedemon* and *Venice*, and ſuch as are for *encreaſe*, as *Athens* and *Rome*, in which I can ſee no more, then that the former taketh in no more Citizens then are neceſſary for *defence*, and the latter ſo many as are capable of *encreaſe*.

The third diviſion (unſeen hitherto) is into *equall* and *unequall*, and this is the main point eſpecially as to domeſtick peace and *tranquillity*; for to make a *Common-wealth unequall*, is to divide it into parties, which ſetteth them at perpetuall variance, the one party endeavouring to preſerve their eminence and inequality, and the other to attain unto equality; whence the people of *Rome* derived their perpetuall ſtrife with the *Nobility* or *Senate*: but in an *equal Common-wealth*, there can be no more ſtrife then there can be over-ballance in equall weights; wherefore the Common-wealth of *Venice*, being that which of all others is the moſt *equal* in the conſtitution, is that wherein there never happen'd any ſtrife between the Senate and the people.

An equall *Common-wealth* is ſuch an one, as is *equall* both in the *ballance* and *foundation*, and in the *ſuperſtructions*, that is to ſay, in her *Agrarian* Law, and in her *Rotation*.

Equal Agrarian.

An equal Agrarian is a perpetuall Law eſtabliſhing and preſerving the ballance of *dominion*, by ſuch a diſtribution, that no one man or number of men within the compaſſe of the *Few* or *Ariſtocracy*, can come to overpower the whole people by their poſſeſſions in Lands.

As the *Agrarian* anſwereth unto the Foundation, ſo doth *Rotation* unto the Superſtructures.

Rotation.

Equal Rotation is equall *viciſſitude* in Government, or *Succeſſion* unto *Magiſtracy* conferred for ſuch convenient *terms*, enjoying equall *vacations*, as take in the whole body by parts, ſucceeding

ceeding others through the free *election* or *ſuffrage* of the *People.*

The contrary whereunto is *Prolongation* of *Magiſtracy*, which traſhing the wheel of *Rotation*, deſtroyes the life or *natural motion* of a *Common-wealth.* *Prolongation of Magiſtracy.*

The *election* or *ſuffrage* of the people, is *freeſt*, where it is made or given in ſuch a manner, that it can neither oblige (*qui beneficium accepit libertatem vendidit*) nor diſoblige another; or through fear of an enemy, or baſhfulneſſe towards a friend, impair a mans liberty. *Ballot.*

Wherefore ſaith *Cicero*, (*Grata populo eſt tabella quæ frontes aperit hominum, mentes tegit, datq; eam libertatem ut quod velint faciant*) the Tablet (or Ballot of the people of *Rome*, who gave their votes by throwing tablets or little pieces of wood ſecretly into Urns marked for the negative or affirmative) was a welcome conſtitution, unto the people, as that which not impairing the aſſurance of their browes, encreaſed the freedom of their Judgment. I have not ſtood upon a more particular deſcription of this *Ballot*, becauſe that of *Venice* exemplify'd in the modell is of all others the moſt perfect.

An *equal Common-wealth* (*by that which hath been ſaid*) *is a Government eſtabliſhed upon an equall Agrarian, ariſing into the ſuperſtructures or three orders, the Senate debating and propoſing, the people reſolving, and the Magiſtracy executing by an equal Rotation through the ſuffrage of the people given by the Ballot.* For though *Rotation* may be without the *Ballot*, and the *Ballot* without *Rotation*, yet the *Ballot* not onely as to the enſuing *Modell* includeth both, but is by far the moſt *equal* way; for which cauſe under the name of the *Ballot* I ſhall hereafter underſtand both that and *Rotation* too. *Definition of an equall Common-wealth.*

Now having reaſon'd the principles of an equall *Common-wealth*, I ſhould come to give an inſtance of ſuch an one in experience, if I could find it; but if this work be of any value, it lyeth in that it is the firſt example of a *Common-wealth* that is perfectly equall. For *Venice* though ſhe come the neareſt, yet is a *Common-wealth* for *preſervation*; and ſuch an one, conſidering the *paucity* of *Citizens* taken in, and the number not taken in, is externally *unequal*: and though every *Common-wealth* that holdeth *Provinces* muſt in that regard be ſuch; yet not unto that *degree*. Nevertheleſſe *Venice* internally and for her *capacity* is by far the moſt *equall*; though ſhe hath not in my judgment arrived at the full *perfection* of *equality*; both becauſe her *Lawes* ſupplying the defect of an *Agrarian*, are not ſo clear nor effectual at the *foundation*, nor her *ſuperſtructures* by the vertue of her *Ballot* or *Rotation* exactly *librated*, in regard that through the *paucity* of her Citizens, her greater *Magiſtracies* are continually *wheeled* through a *few hands*. As is confeſſed by

by *Janotti*, where he ſaith, that if a *Gentleman* come once to be *Savio di terra ferma*, it ſeldom happens that he faileth from thenceforward to be adorned with ſome one of the greater *Magiſtracies*, as *Savi di mare*, *Savi di terra ferma*, *Savi Grandi*, *Counſellors*, thoſe of the Decemvirate or *Dictatorian* Council, the *Aurogatori* or Cenſors which require no *vacation* or *interval*: wherefore if this in *Venice*, or that in *Lacedæmon*, where the *Kings* were *hereditary*, and the *Senators* (though elected by the people) for life, cauſe no inequality (which is hard to be conceived) in a *Common-wealth* for *preſervation*, or ſuch an one as conſiſteth of a few Citizens; yet is it manifeſt, that it would cauſe a very great one in a *Common-wealth* for *encreaſe*, or conſiſting of the *Many*, which by the engroſſing the *Magiſtracies* in a few hands, would be obſtructed in their *Rotation*.

But there be that ſay, (and think it a ſtrong Objection) let a *Common-wealth* be as *equal* as you can imagine, two or three men when all is done will govern it: and there is that in it, which notwithſtanding the pretended ſufficiency of a popular State, amounteth unto a plain confeſſion of the imbecillity of that Policy, and of the prerogative of *Monarchy*; for as much as popular Governments in difficult caſes have had recourſe unto *Dictatorian* power, as in *Rome*.

To which I anſwer, That as truth is a Spark whereunto objections are like bellowes; ſo, in this, our *Common-wealth* ſhines: for the eminence acquired by *ſuffrage* of the *people* in a *Common-wealth*, eſpecially if it be *popular* and *equall*, can be aſcended by no other ſteps then the univerſall acknowledgment of *virtue*; and where men excell in *Virtue*, the *Common-wealth* is ſtupid and unjuſt, if accordingly they do not excell in *Authority*: wherefore this is both the advantage of *Virtue*, which hath her due *encouragement*, and the *Common-wealth* which hath her due ſervices. Theſe are the *Philoſophers* which *Plato* would have to be *Princes*, the *Princes* which *Solomon* would have to be mounted, and their Steeds are thoſe of *Authority* not *Empire*; or, if they be buckled to the Chariot of *Empire*, as that of the *Dictatorian power*, like the Chariot of the Sun it is glorious for terms and vacations or intervals. And as a *Common-wealth* is a Government of *Lawes* and not of *Men*; ſo is this the *Principality* of the *Virtue*, and not of the *Man*; if that fail or ſet in one, it riſeth in another, which is created his immediate Succeſſour.

(— *Uno avulſo non deficit alter,*
Aureus, et ſimili frondeſcit virga metallo.)

And this taketh away that vanity from under the Sun, which is an errour proceeding more or leſſe from all other Rulers under heaven but an equal *Common-wealth*.

Theſe things conſidered, it will be convenient in this place to ſpeak a word unto ſuch as go about to inſinuate to the *Nobility*

lity or Gentry a fear of the *people*; or into the *people* a fear of the *Nobility* or *Gentry*, as if their *intereſts* were each deſtructive unto other, when in truth an Army may as well conſiſt of Souldiers without Officers, or of Officers without Souldiers, as a *Common-wealth*, eſpecially ſuch an one as is capable of greatneſs, of a *people* without a *Gentry*, or of a *Gentry* without a *people*. Wherefore this (though not alwaies ſo intended, as may appear by *Machiavill*, who elſe would be guilty) is a pernicious errour. There is ſomething firſt in the making of a *Common-wealth*, then in the governing of her, and laſt of all in the leading of her Armies; which, though there be great *Divines*, great *Lawyers*, great men in all profeſſions, ſeems to be peculiar unto the Genius of a Gentleman. For ſo it is in the univerſall ſeries of Story, that if any man have founded a Common-wealth, he was firſt a *Gentleman*. *Moſes* had his education by the daughter of *Pharaoh*; *Theſeus* and *Solon* of noble birth, were held by the *Athenians* worthy to be *Kings*; *Lycurgus* was of the blood-Royal, *Romulus* and *Numa* Princes, *Brutus* and *Publicola Patricians*, the *Gracchi* that loſt their lives for the people of *Rome*, and the reſtitution of that *Common-wealth*, were the ſonnes of a Father adorned with two *Triumphs*; and of *Cornelia* the daughter of *Scipio*, who being ſought in marriage by King *Ptolomy*, diſdained to be the *Queen of Ægypt*. And the moſt renowned *Olphaus Megaletor*; ſole *Legiſlator* (as you will ſee) of the *Common-wealth* of *Oceana*, was derived from a noble Family: nor will it be any occaſion of ſcruple in this caſe, that *Leviathan* affirms the *Politicks* to be no ancienter then his Book *De Cive*. Such alſo as have gotten any fame in the Civill Government of a *Common-wealth*, or by the leading of her Armies, have been Gentlemen; for ſo in all other reſpects were thoſe plebeian Magiſtrates elected by the people of *Rome*, being of known deſcents, and of equall virtues, ſave onely that they were excluded from the name by the uſurpation of the *Patricians*. *Holland*, through this defect at home, hath borrowed *Princes* for her Generals, and *Gentlemen* for her Commanders, of divers *Nations*: And *Switz*, if ſhe have defect in this kind, rather lendeth her people unto the Colours of other *Princes*, then maketh that noble uſe of them her ſelf; which ſhould aſſert the *liberty* of *mankind*. For where there is not a *Nobility* to bolt out the people, they are ſlothfull, regardleſſe of the world and the publick intereſt of liberty, as even that of *Rome* had been without her *Gentry*: wherefore let the people embrace the Gentry in peace, as the light of their eyes, and in War as the trophy of their Arms. And if *Cornelia* diſdained to be *Queen of Egypt*, if a *Roman Conſul* looked down from his *Tribunal* upon the greateſt *King*; Let the *Nobility* love and cheriſh the people that afford them a *Throne* ſo much higher in a *Common-wealth*,

Diſc. B. 1. C. 55.

and in the acknowledgment of their Virtue, than the Crowns of Monarchs.

Unequall Common-wealth.

But if the *equality* of a *Common-wealth* consist in the *equality* first of the *Agrarian*, and next of the *Rotation*; then the *inequality* of a *Common-wealth* must consist in the absence or inequality of the *Agrarian*, or of the *Rotation*, or of both.

Israel and *Lacedemon*, which *Common-wealths* (as the people of this in, *Josephus*, claims kindred of that) have great resemblance, were each of them *equall* in their *Agrarian*, and unequall in their *Rotation*, especially *Israel*, where the *Sanhedrim* or *Senate* first elected by the people, as appeareth by the words of *Moses*, took upon them thenceforth without any precept of *God* to substitute their *Successors* by *Ordination*; which having been there of *Civil use*, as *excommunication*, *community of goods*, and other *customes* of the *Essеans*, who were many of them converted, came afterwards to be introduced into the *Christian Church*. And the election of the *Judge*, *Suffes*, or *Dictator* was irregular, both for the occasion, the *term*, and the *vacation* of that *Magistracy*; as you find in the Book of *Judges*, where it is often repeated, that in those dayes there was no *King in Israel*, that is, *no Judge*: and in the first of *Samuel*, where *Ely* judged *Israel* fourty years, and *Samuel* all his life: In *Lacedemon* the election of the *Senate* being by *suffrage* of the *People*; though for *life* was not altogether so *unequal*, but the hereditary right of *Kings*, but for the *Agrarian*, had ruin'd her.

Deut. 1.

Athens and *Rome* were unequall as to their *Agrarian*, that of *Athens* being infirm, and that of *Rome* none at all; for if it were more anciently carried, it was never kept. Whence by the time of *Tyberius Gracchus* the *Nobility* had almost eaten the people quite out of their *Lands*, which they held in the occupation of Tenants and servants: Whereupon the remedy being too late, and too vehemently applyed, that *Common-wealth* was ruin'd.

These also were unequal in their *Rotation*, but in a contrary manner: *Athens*, in regard that the *Senate* chosen at once by *Lot*, not by *suffrage*, and changed every year not in part, but the whole, consisted not of the naturall *Aristocracy*, nor sitting long enough to understand, or be perfect in their *office*, had no sufficient *Authority* to withhold the people from that perpetual *turbulence* in the way which was *ruine* in the end, in despight of *Nicias*, who did what a man could do to help it. But as *Athens* by the headinesse of the people, so *Rome* fell by the *ambition* of the *Nobility*, through the want of an equall *Rotation*, which if the people had had into the *Senate*, and timely into the *Magistracies*; whereof the former was alwaies usurped by the *Patricians*, and the latter for the most part; they had both carried and held their *Agrarian*, and that had rendred that *Common-wealth* immoveable.

But

But let a *Common-wealth* be *equall* or *unequall*, it muſt conſiſt, as hath been ſhewn by reaſon and all experience, of the three *general Orders*, that is to ſay, of *the Senate debating and propoſing*, of *the People reſolving, and of the Magiſtracy executing*; wherefore I can never wonder enough at *Leviathan*, who without any reaſon or example will have it, that a *Common-wealth* conſiſteth of a *ſingle Perſon*, or of a *ſingle Aſſembly*; nor ſufficiently pity that *thouſand Gentlemen, whoſe minds which otherwiſe would have waver'd, he hath framed (as is affirmed by himſelf) unto a conſcientious obedience* (for ſo he is pleaſed to call it) *of ſuch a Government*.

But to finiſh this part of the Diſcourſe, which I intend for as compleat an Epitome of *ancient Prudence*, and in that of the *whole Art of the Politicks*, as I am able to frame in ſo ſhort a time.

The two firſt *Orders*, that is to ſay, the *Senate* and the *People* are *Legiſlative*, whereunto anſwers that part of this Science which by *Politicians* is intituled DE LEGIBUS, or of *Lawes*; and the third *order* is *executive*, to which anſwers that part of the ſame Science which is ſtyled DE JUDICIIS, or of the *frame*, and *courſe of Courts* or *Judicatories*; A word unto each of theſe will be neceſſary.

And firſt for *Lawes*, they are either *Eccleſiaſtical* or *Civil*, ſuch as concern *Religion* or *Government*. *De Legibus.*

Lawes Eccleſiaſtical or ſuch as concern *Religion*, according unto the univerſal courſe of *ancient Prudence*, are in the power of the *Magiſtrate*; according unto the common practice of modern *prudence*, ſince the *Papacy*, torn out of his hands.

But, as a *Government* pretending unto *Liberty*, and ſuppreſſing the *liberty of conſcience*, which (becauſe Religion not according to a mans conſcience, can as to him be none at all) is the main, muſt be a contradiction; ſo, a man that pleading for the *liberty of private conſcience*, refuſeth *liberty* unto the *National conſcience*, muſt be *abſurd*.

A *Common-wealth* is nothing elſe but the *National Conſcience*. And if the conviction of a mans *private conſcience*, produce his private Religion: the conviction of the *national conſcience*, muſt produce a *national Religion*. Whether this be well reaſon'd, as alſo whether theſe two may ſtand together, will beſt be ſhewn by the examples of the ancient Common-wealths taken in their order.

In that of *Iſrael* the Government of the *National Religion* appertained not unto the *Prieſts* and *Levites*, otherwiſe then as they happen'd to be of the *Sanhedrim* or *Senate*, to which they had no right at all but by *election*. It is in this capacity therefore that the people are commanded under pain of death, *to hearken unto them, and to do according to the ſentence of the Law which they ſhould teach*; but in *Iſrael* the *Law Eccleſiaſticall* and *Civill* was the ſame, therefore the *Sanhedrim* having the power *Deut.* 17.

of one, had the power of both. But as the *National Religion* appertained unto the *Juriſdiction* of the *Sanhedrim*, ſo the *liberty of conſcience* appertained from the ſame date and by the ſame right, unto the *Prophets* and their *diſciples*; as where it is ſaid,

Deut. 18. 10. *I will raiſe up a Prophet —— and whoſoever will not hearken unto my words which he ſhall ſpeak in my Name, I will require it of him*; The words relate unto *prophetick right*, which was above all the

2 *Kings* 1. *Orders* of this *Common-wealth*; whence *Elijah* not only refuſed to obey the *King*, but deſtroyed his meſſengers with fire: And whereas it was not lawfull by the *National Religion* to *ſacrifice* in any other place then the *Temple*, a *Prophet* was his own *Temple*,

1 *King.* 18. 19. and might *ſacrifice* where he would, as *Elijah* did in *Mount Carmel*. By this right *John the Baptiſt* and our *Saviour*, unto whom it more particularly related, had their *diſciples*, and taught the people; whence is derived our preſent right of GATHERED CONGREGATIONS: Wherefore the *Chriſtian Religion* grew up according unto the *Orders* of the *Common-wealth of Iſrael*, and not againſt them. Nor was *Liberty of Conſcience* infringed by this Government, till the civil liberty of the ſame was loſt, as under *Herod*, *Pilate*, and *Tiberius*, a three *pil'd Tyranny*.

To proceed, *Athens* preſerved her *Religion*, by the teſtimony of *Paul*, with great *ſuperſtition*: If *Alcibiades* that *Atheiſticall* fellow had not ſhew'd them a pair of heeles, they had ſhaven off his head for ſhaving their *Mercuries*, and making their *Gods* look *ridiculouſly* upon them without beards. Nevertheleſſe, if *Paul* reaſoned with them, they loved news, for which he was the more welcome; and if he converted *Dionyſius* the *Areopagite*, that is, one of the *Senators*, there followed neither any hurt unto him, nor loſſe of honour to *Dionyſius*. And for *Rome*, if *Cicero* in his moſt excellent book, *De natura Deorum*, overthrew the *National Religion* of that *Common-wealth*, he was never the farther from being *Conſul*. But there is a meanneſſe and poorneſſe in modern *prudence*, not only unto the damage of *Civil Government*, but of *Religion* it ſelf: for to make a man in matter of Religion, which admitteth not of ſenſible demonſtration (*jurare in verba Magiſtri*) engage to believe no otherwiſe then is believed by my Lord Biſhop, or Goodman Presbyter, is a Pedantiſme, that hath made the ſword to be a rod in the hands of School-maſters: by which means, whereas *Chriſtian Religion* is the fartheſt off any from countenancing War, there never was *a War of Religion* but ſince *Chriſtianity*. For which we are beholding unto the POPE; for the *Pope* not giving liberty of conſcience unto *Princes* and *Common-wealths*, they cannot give that unto their Subjects which they have not: whence both *Princes* and *Subjects* either through his inſtigation, or diſputes among themſelves, have introduced that *execrable* cuſtom, never known in the world before, of *fighting for Religion*, and denying

denying the *Magistrate* to have any *Jurisdiction* of it; whereas the *Magistrate's* losing the power of *Religion*, loseth the *liberty of conscience* which in that case hath nothing to protect it. But if the people be otherwise taught, it concerns them to look about, and distinguish between the shrecking of the Lapwing, and the voice of the Turtle.

To come unto *Civil Laws*, if they stand one way, and the *ballance* another, it is the case of a *Government* which of necessity must be new *modell'd*; wherefore your *Lawyers* advising you upon like occasions to fit your Government unto their Lawes, are no more to be regarded, then your *Taylor* if he should desire you to fit your body unto his doublet; there is also danger in the plausible pretence of *reforming* the *Law*, except the *Government* be first good, in which case it is a good tree, and (trouble not your selves overmuch) bringeth not forth evill fruit; otherwise, if the Tree be evil, you can never reform the fruit: or if a root that is naught bring forth fruit of this kind that seemeth to be good; take the more heed, for it is the ranker poison. It was no-wise probable, if *Augustus* had not made excellent Lawes, that the bowels of *Rome* could have come to be so miserably eaten out by the Tyranny of *Tiberius* and his Successors. The best *rule* as to your *Lawes* in general, is, that they be *few*. *Rome* by the testimony of *Cicero* was best *governed* under those of the twelve *Tables*; (and by that of *Tacitus*, *Plurimæ leges, corruptissima respublica*) You will be told, That where the *Lawes* be *few*, they leave much unto *arbitrary power*; but where they be *many*, they leave more; the Lawes in this case according to *Justinian* and the best Lawyers, being as *litigious* as the *Suitors*. *Solon* made few; *Lycurgus* fewer *Lawes*: *Common-wealths* have fewest at this day of all other *Governments*. And to conclude this part with a word *de Judiciis*, or of the *Constitution or course of Courts*; it is a discourse not otherwise capable of being well menaged but by particular examples both the constitution and course of Courts being divers in different Governments, but best beyond compare in *Venice*, where they regard not so much the arbitrary power of their Courts, as the constitution of them; whereby that arbitrary power being altogether unable to retard or do hurt unto *busines*, produceth and must produce the *quickest dispatch*, and the most *righteous dictates of Justice* that are perhaps in *humane nature*. The manner I shall not stand in this place to describe, because it is exemplify'd at large in the *Judicature* of the people of *Oceana*. And thus much of ancient *Prudence*, and the first branch of this *Preliminary* Discourse. *De Judiciis.*

The

The Second Part of the Preliminaries.

IN the Second Part I ſhall endeavour to ſhew the *Riſe*, *Progreſſe*, and *Declination* of *Moderne Prudence*.

The date of this kind of Policy is to be computed, as was ſhewn, from thoſe Inundations of *Goths*, *Vandals*, *Hunnes*, and *Lombards* that overwhelmed the *Roman Empire*. But as there is no appearance in the bulk or conſtitution of *Moderne Prudence*, that ſhe ſhould ever have been able to come up and Grapple with the *Ancient*, ſo ſomthing of neceſſity muſt have interpoſed, whereby This came to be enervated, and That to receive ſtrength and encouragement: And this was, the *execrable raign* of the *Roman Emperours* taking riſe from (that *fælix ſcelus*) the *Arms* of *Cæſar*, in which ſtorm the ſhip of the *Roman Common-wealth* was forced to disburthen her ſelf of that precious fraight, which never ſince could emerge or raiſe the head but in the *Gulph of Venice*.

The tranſition of Ancient into Modern Prudence.

It is ſaid in *Scripture*, *Thy evil is of thy ſelf, O Iſrael!* to which anſwers that of the Moraliſts, *Nemo nocetur niſi ex ſe*, as alſo the whole matter of the *Politicks*; at preſent this Example of the *Romans*, who, through a negligence committed in their *Agrarian Lawes*, let-in the ſink of *Luxury*, and forfeited the ineſtimable treaſure of *Liberty* for themſelves and poſterity.

The Agrarian Lawes of the Romans. Sigonius de Ant. Ro.

Their *Agrarian Laws* were ſuch, whereby their Lands ought to have been divided among the people, either without mention of a *Colony*, in which caſe they were not obliged to change their abode; or with mention and upon condition of a *Colony*, in which caſe they were to change their abode, and leaving the City to plant themſelves upon the Lands ſo aſſigned. The Lands aſſigned, or that ought to have been aſſigned in either of theſe wayes, were of three kinds. Such as were taken from the enemy and diſtributed unto the people; or ſuch as were taken from the enemy, and under colour of being reſerved unto the publick uſe, were by ſtealth poſſeſſed by the *Nobility*; or ſuch as were bought with the *publick Money* to be diſtributed. Of the Lawes offer'd in theſe caſes, thoſe which divided the Lands taken from the Enemy, or purchaſed with the publick money, never occaſioned any diſpute; but ſuch as drove at diſpoſſeſſing the *Nobility* of their Uſurpations, and dividing the *common purchaſe of the ſword among the people*, were never touched but they cauſed *Earthquakes*, nor could ever be obtained by the people; or being obtained, be obſerved by the *Nobility*, who not onely preſerved their prey, but growing

vaſtly

vaſtly rich upon it, bought the people by degrees quite out of thoſe ſhares that had been conferred upon them. This the *Gracchi* coming too late to perceive, found the *Ballance of the Common-wealth* to be loſt; but putting the people (when they had leaſt force) by forcible means unto the recovery of it, did ill, ſeeing it neither could, nor did tend unto any more then to ſhew them by worſe effects, that what the Wiſdome of their Leaders had diſcovered was true: for (quite contrary unto what hath happened in *Oceana*, where, *the ballance falling unto the people, they have overthrown the Nobility*) the *Nobility of Rome* under the conduct of *Sylla*, overthrew the people and the *Common-wealth*: ſeeing *Scylla* firſt introduced that *new ballance*, which was the *Foundation* of the ſucceeding *Monarchy*, in the plantation of *Military Colonies*; inſtituted by his diſtribution of the conquered Lands not now of Enemies, but of Citizens unto fourty ſeven Legions of his Souldiers; ſo that how he came to be DICTATOR PERPETUUS, or other Magiſtrates to ſucceed him in like power, is no *Miracle*.

Military Colonies.

The Ballance of the Roman Empire.

Theſe *Military Colonies*, in which manner ſucceeding *Emperours* continued (as *Auguſtus* by the diſtribution of the *Veterans*, whereby he had overcome *Brutus* and *Caſſius*) to plant their *Souldiery*, conſiſted of ſuch as I conceive were they that are called *Milites beneficiarii*; in regard that the *Tenure* of their Lands was by way of *Benefices*, that is for life, and upon condition of duty or ſervice in the War upon their own charge. Theſe Benefices *Alexander Severus* granted unto the Heirs of the Incumbents, but upon the ſame conditions: And ſuch was the *Dominion* by which the *Roman Emperours* gave their *Ballance*. But to the *Beneficiaries*, as was no leſſe than neceſſary, for the *ſafety* of the *Prince*, a matter of eight thouſand, by the Example of *Auguſtus*, were added, which departed not from his ſides, but were his perpetuall guard, called *Pretorian Bands*; though theſe, according to the incurable flaw already obſerved in this kind of *Government*, became the moſt frequent Butchers of their Lords that are to be found in Story. Thus far the *Roman Monarchy* is ſo much the ſame with that at this day in *Turky* conſiſting of a *Camp*, and an *Horſe-quarter*; a Camp in regard of her *Spahies* and *Janizaries*, the perpetuall Guard of the *Prince*, except they alſo chance to be Liquoriſh after his blood; and an Horſe-quarter in regard of the diſtribution of his whole Land unto Tenants for life upon condition of continuall ſervice, or as often as they ſhall be commanded at their own charge by *Timars*, being a word which they ſay ſignifies *Benefices*, that it ſhall ſave me a labour of opening the *Government*.

But the Fame of *Mahomet* and his *Prudence* is eſpecially founded in this, That whereas the *Roman Monarchy* (except that of

of *Israel*) was the moſt imperfect, the *Turkiſh* is the moſt *perfect* that ever was. Which happened in that the *Roman* (as the *Iſraelitiſh* of the *Sanhedrim* and the *Congregation*) had a mixture of the *Senate* and the *people*; and the *Turkiſh* is *pure*: and that this was pure, and the other mixed, happened not through the wiſdome of the *Legiſlators*, but the different *Genius* of the *Nations*; the people of the *Eaſtern parts*, except the *Iſraelites*, (which is to be attributed to their *Agrarian*) having been ſuch as ſcarce ever knew any other condition than that of *Slavery*. And theſe of the *Weſtern* having ever had ſuch a Reliſh of liberty, as through what deſpair ſoever could never be brought to ſtand ſtill, while the Yoke was putting on their Necks, but by being fed with ſome hopes of reſerving unto themſelves ſome part of their *Freedome*.

Wherefore *Julius Cæſar* (ſaith *Suetonius*, *comitia cum populo ſortitus eſt*) contented himſelf, in naming half the *Magiſtrates*, to leave the reſt unto the *Suffrage* of the *people*. And *Mæcenas*, though he would not have *Auguſtus* to give the people their liberty, would not have him take it away; (for ſaith he, *Neq; id exiſtimare debes autorem me tibi eſſe, ut tyrannidem in S.P.Q.R. in ſervitutem redactum teneas: quod neq; dicere meum, neq; facere tuum eſt*) whence this Empire being neither *Hawk* nor *Buzzard*, made a flight accordingly; and having the avarice of the Souldiery on this hand to ſatisfie upon the people; and the *Senate* and the *people* on the other to be defended from the Souldiery; the *Prince* being perpetually toſſed, ſeldom dy'd any other death than *by* one Horn of this *Dilemma*, as is noted more at large by *Machiavill*. But the *Pretorian Bands*, thoſe Beſtiall executioners of their Captains *Tyranny* upon others, and of their own upon him; having continued from the time of *Auguſtus*; were by *Conſtantine* the Great (incenſed againſt them for taking part with his Adverſary *Maxentius*) removed from their ſtrong Garriſon which they held in *Rome*, and diſtributed them into divers *Provinces*. The *Benefices* of the Souldiers that were hitherto held for *life*, and upon duty, were by this *Prince* made *Hereditary*, ſo that the whole Foundation whereupon this *Empire* was firſt built, being now removed, ſheweth plainly, that the Emperours muſt long before this have found out ſome other way of ſupport; and this was by *Stipendiating* the *Gothes*, a people that deriving their *Roots* from the *Northern* parts of *Germany*, or out of *Sweden*, had (through their Victories obtained againſt *Domitian*) long ſince ſpread their branches unto ſo near Neighbourhood with the *Roman* Territories, that they began to Overſhade them; for the *Emperours* making uſe of them in their Arms (as the *French* do at this day of the *Switz*) gave them that, under the notion of ſtipend, which they received as *Tribute*, coming (if there were any

Dion.

Prince, cap. 19.

any default in the payment) so often to distrein for it, that in the time of *Honorius* they sacked *Rome*, and possessed themselves of *Italy*. And such was the *transition* of *Ancient* into *Modern prudence*; or that breach which being followed in every part of the *Roman Empire* with inundations of *Vandals*, *Huns*, *Lombards*, *Franks*, *Saxons*, have overwhelmed *ancient Languages*, *Learning*, *Prudence*, *Manners*, *Cities*, *changing* the Names of Rivers, Countries, Seas, Mountains and Men; *Camillus*, *Cæsar and Pompey*, being come to *Edmund*, *Richard*, *and Geoffrey*. *Machiavil.*

To open the ground-work or *ballance* of these new *Polititians*. *Feudum*, saith *Calvine* the *Lawyer*, is a *Gothick* word of divers significations; for it is taken either for *war*, or for a *possession of conquered Lands, distributed by the Victor unto such of his Captains and Souldiers as had merited in his wars, upon condition to acknowledge him to be their perpetuall Lord, and themselves to be his Subjects*. *The Gothick Ballance.*

Of these there were three kinds or orders: The first, of *Nobility*, distinguished by the Titles of *Dukes*, *Marquesses*, *Earls*, and these being gratify'd with Cities, Castles, and Villages, of the Conquered *Italians*, their *Feuds* participated of *Royall dignity, and were called Regalia*, by which they had right to coyn Mony, create Magistrates, take Tole, Customs, Confiscations, and the like. *Institution of Feudatory Principalities.*

Feuds of the second order were such as with the consent of the *King* were bestowed by these *Feudatory Princes* upon men of inferiour Quality called their *Barons*, on condition that next unto the *King* they should defend the *Dignities* and *Fortunes* of their *Lords* in *Arms*.

The lowest order of *Feuds* were such as being confer'd by those of the second Order upon private men, whether *Noble*, or not *Noble*, obliged them in the like duty unto their *Superiors*, these were called *Vavosors*: *And this is the Gothick Ballance, by which all the Kingdoms this day in Christendome were at first erected*; for which cause if I had time, I should open in this place the *Empire* of *Germany*, and *the Kingdomes of France*, *Spain*, *and Poland*; but so much as hath been said being sufficient for the discovery of the principles of *Modern Prudence in general*; I shall divide the remainder of my Discourse, which is more particular, into three parts.

The first, shewing the *Constitution* of the late *Monarchy* of *Oceana*.

The second, the *Dissolution* of the same.

And the third, the *Generation* of the present *Commonwealth*.

The Constitution of the late *Monarchy of Oceana*, is to be considered in relation unto the different *Nations*, by whom it hath been successively subdu'd and govern'd. The first of these were

the *Romans*, the ſecond the *Teutons*, the third the *Scandians*, and the fourth the *Neuſtrians*.

The *Government* of the *Romans*, who held it as a *Province*, I ſhall omit, becauſe I am to ſpeak of their *Provincial Government* in another place; onely it is to be remembred in this, that if we have given over running up and down naked and with dappled hides, learn't to write and read, to be inſtructed with good Arts, for all theſe we are beholding to the *Romans* either *immediately*, or *mediately* the *Teutons*; for that the *Teutons* had the Arts from no other hand, is plain enough by their language, which hath yet no word to ſignifie either writing or reading, but what is derived from the *Latine*. Furthermore, by the help of theſe arts ſo learn't, we have been capable of that *Religion* which we have long ſince received; wherefore it ſeemeth unto me, that we ought not to detract from the *Memory of the Romans*, by whoſe means we are as it were of *Beaſts* become *Men*, and by whoſe means we might yet of obſcure and Ignorant men (*if we thought not too well of our ſelves*) become a wiſe and a great *People*.

For the proof of the enſuing diſcourſe out of Records and Antiquities. See *Selden's* Titles of Honour, from page 593. to pag. 837.

The *Romans* having govern'd *Oceana*, *Provincially*, the *Teutons* were the firſt that introduced the *form* of the late *Monarchy*: to theſe ſucceeded the *Scandians*, of whom (becauſe their Raign was ſhort, as alſo becauſe they made little alteration in the Government as to the Form) I ſhall take no notice. But the *Teutons* going to work upon the *Gothick Ballance*, divided the whole Nation into three ſorts of *Feuds*; that of *Ealdorman*, that of *Kings-Thane*, and that of *Middle-Thane*.

The Teuton Monarchy.

When the *Kingdom* was firſt divided into *Precincts*, will be as hard to ſhew, as when it began firſt to be governed; it being impoſſible that there ſhould be any Government without ſome *Diviſion*. The *Diviſion* that was in uſe with the *Teutons*, was by *Counties*, and every *County* had either his *Ealdorman*, or *high Reeve*. The title of *Ealdorman* came in time to *Eorl*, or *Erle*, and that of *high Reeve* to high *Sheriff*.

Earles.

Earl of the Shire or County denoted the *Kings Thane*, or Tenant by *Grand Serjeantry* or *Knights Service* in *chief* or *in Capite*, his poſſeſſions were ſometimes the whole *Territory*, from whence he had his *Denomination*, that is, the whole County, ſometimes more then one County, and ſometimes leſſe, the remaining part being in the Crown. He had alſo ſometimes a *third*, or ſome other Cuſtomary part of the profits of certain *Cities*, *Boroughs*, or other places within his *Earldom*. For an Example of the poſſeſſions of *Earls* in *ancient times*, *Ethelred* had unto him and his Heirs the whole *Kingdom* of *Mercia*, containing *three* or *four Counties*; and there were others that had little leſſe.

Kings Thane

Kings Thane was alſo an honorary Title, unto which he was qualify'd

qualify'd that had *five Hides* of Land held immediately of the *King* by ſervice of perſonal attendance; inſomuch that if a *Churle* or Country Man had thriven unto this proportion, having a *Church*, a *Kitchin*, a *Bell-houſe*, (*that is, an Hall with a Bell in it to call his Family to Dinner*) a *Borough-gate* with a ſeat (that is, a *Porch*) of his own; and any diſtinct office in the *Kings Court*, then was he the *Kings Thane*. But the proportion of an Hide-Land, otherwiſe called *Caruca*, or a Plough-land, is difficult to be underſtood, becauſe it was not certain, nevertheleſſe it is generally conceived to be ſo much as may be managed with one Plough, and would yield the Maintenance of the ſame, with the appurtenances in all kinds.

Middle-Thane.

The *Middle-Thane* was *feudal*, but not honorary; he was alſo call'd a *Vavaſor*, and his Lands a *Vavaſory*, which held of ſome *Meſne Lord*, and not immediately of the *King*.

Poſſeſſions and their tenures being of this Nature, ſhew the *Ballance* of the *Teuton Monarchy*; wherein the riches of *Earles* was ſo vaſt, that to ariſe from the *Ballance* of their *Dominion* unto their power, they were not onely called *Reguli* or little Kings, but were ſuch indeed; their juriſdiction being of two ſorts, either that which was exerciſed by them in the *Court* of their Counties, or in the high Court of the *Kingdom*.

Shiremoot.

In the Territory denominating an *Earl*, if it were all his own, the Courts held, and the profits of that Juriſdiction were to his own uſe and benefit. But if he had but ſome part of his *County*, then his Juriſdiction and Courts (ſaving perhaps in thoſe poſſeſſions that were his own) were held by him to the *Kings* uſe and benefit; that is, he commonly ſupply'd the Office which the *Sheriffs* regularly executed in *Counties* that had no *Earls*; and whence they came to be called *Vice-comites*. The Court of the County that had an *Earl*, was held by the *Earl* and the *Biſhop* of the *Dioceſſe*, after the manner of the *Sheriffs Turns* unto this Day; by which means both the *Eccleſiaſticall* and *Temporal Lawes* were given in charge together unto the *Country*: the cauſes of *Vavaſors or Vavaſories* appertained to the Cognizance of this *Court*, where Wills were proved, Judgment and Execution given; caſes criminall and civill determined.

Halymoot.

The *Kings Thanes* had like juriſdiction in their *Thain-Lands* as *Lords* in their *Manours*, where they alſo kept Courts.

Weidenagamoots.

Beſides theſe in particular, both the *Earls* and *Kings-Thanes*, together with the *Biſhops*, *Abbots*, and *Vavaſors*, or *Middle-Thanes* had in the High Court or *Parliament* of the *Kingdome* a more publick juriſdiction; conſiſting, *firſt*, of *Deliberative power* for adviſing upon, and aſſenting unto new *Lawes*. *Secondly*, of giving Counſel in matters of *State*; and *thirdly*, of Judicature upon *Suits*, and *Complaints*. I ſhall not omit to en-

lighten the obſcurity of theſe times, in which there is little to be found of a *Methodical conſtitution* of this High Court; by the addition of an *Argument*, which I conceive to bear a ſtrong teſtimony unto it ſelf, though taken out of a late Writing that conceals the Authour. "It is well known (ſaith he) that in "every quarter of the Realm a great many Boroughs do yet "ſend Burgeſſes unto the Parliament, which nevertheleſſe be "ſo anciently and ſo long ſince decayed and gone to naught, "that they cannot be ſhew'd to have been of any reputation "ſince the Conqueſt, much leſſe to have obtained any ſuch "priviledge by the grant of any ſucceeding King; wherefore "theſe muſt have had this right by more ancient uſuage, and "before the Conqueſt; they being unable now to ſhew "whence they derived it.

This *Argument* (though there be more) I ſhall pitch upon, as ſufficient to prove; *Firſt*, that the lower ſort of the *people* had right unto Seſſion in *Parliament* during the time of the *Teutons*. Secondly, that they were qualify'd unto the ſame by election in their *Boroughs*; and (if *Knights* of the *Shire* (as no doubt they are) be as *ancient*) in the *Countries*: *Thirdly*, if it be a good *Argument* to ſay, that the *Commons* during the raign of the *Teutons* were elected into *Parliament*, becauſe they are ſo now, and no man can ſhew when this cuſtom began; I ſee not which way it ſhould be an ill one to ſay, that the *Commons* during the reign of the *Teutons* conſtituted alſo a *diſtinct houſe*, becauſe they do ſo now; unleſſe any man can ſhew that they did ever ſit in the ſame Houſe with the *Lords*. Wherefore to conclude this part, I conceive for theſe, and other reaſons to be mentioned hereafter, that the *Parliament* of the *Teutons* conſiſted of the *King*, the *Lords Spiritual and Temporal*, and the *Commons* of the *Nation*, notwithſtanding the ſtyle of divers *Acts* of *Parliament*, which runs as that of *Magna Charta* in the *Kings* name only, ſeeing the ſame was nevertheleſſe enacted by the *King*, *Peers*, and *Commons* of the *Land*, as is teſtified in thoſe words by a ſubſequent *Act*.

25 *Edw.* 3. Cap. 1.

Monarchy of the Neuſtrians.

The *Monarchy* of the *Teutons* had ſtood in this poſture about two hundred and twenty years; when *Turbo Duke of Neuſtria* making his claim to the *Crown* of one of their *Kings* that dyed *Childleſſe*, followed it with ſucceſſful *Arms*; and being poſſeſſed of the *Kingdom*, uſed it as conquered; diſtributing the *Earldomes*, *Thane-Lands*, *Biſhopricks and Prelacies* of the whole *Realm* amongſt his *Neuſtrians*. From this time the *Earl* came to be called *Comes*, *Conſul*, *& Dux*; (though *Conſul & Dux* grew afterward out of uſe) The *Kings Thanes* came to be called *Barons*, and their Lands *Baronies*; the *Middle-Thane* holding ſtill of a mean *Lord*, retained the name of *Vavaſor*.

Their Earls.

The *Earl* or *Comes* continued to have the third part of the pleas

pleas of the *County* paid unto him by the *Sheriff* or *Vice-comes*; now a distinct *Officer* in every County depending upon the *King*; saving that such *Earls* as had their Counties to their own use, were now *Counts-Palatine*, and had under the *King* *Regal Jurisdiction*; insomuch that they constituted their own *Sheriffs*, granted *Pardons*, and issued *Writs* in their own names; nor did *Kings* Writ of ordinary Justice run in their *Dominions*, till a late Statute whereby much of this priviledge was taken away. 27 H. 8.

Their Barons.

For *Barons*, they came from henceforth to be in different times of three kinds. *Barons* by their *estates* and *Tenures*, *Barons by writ*, and *Barons* created by *Letters Pattents*. From *Turbo* the first to *Adoxus* the seventh *King* from the *Conquest*, *Barons* had their Denomination from their *Possessions* and *Tenures*: and these were either *Spiritual or Temporal*; for not onely the *Thane Lands*, but the possessions of *Bishops*, as also of some twenty six *Abbots*, and two *Priors* were now erected into *Baronies*, whence the *Lords Spiritual* that had Suffrage in the *Teuton Parliament*, as *Spiritual Lords* came to have it in the *Neustrian Parliament* as *Barons*: and were made subject (which they had not formerly been) unto *Knights* service in chief. *Barony* comming henceforth to signifie all honorary possessions, as well of *Earls* as *Barons* and *Baronage*, to denote all kinds of *Lords* as well *Spiritual* as *Temporal*, having right to sit in *Parliament*, the *Baronies* in this sense were sometimes more, and sometimes fewer, but commonly about 200, or 250, containing in them a matter of sixty thousand *feuda militum*, or *Knights fees*, whereof some twenty eight thousand were in the *Clergy*. It is ill luck that no man can tell what the land of a *Knights fee* (reckoned in some Writs at 40 l. a year, and in others at 10.) was certainly worth; for by such an help we might have exactly demonstrated the *Ballance* of this *Government*: But sayes *Cook*, it contained twelve *plough lands*, and that was thought to be the most certain account: but this again is extreamly uncertain, for one *Plough* out of some *Land* that was *fruitfull* might work more than ten out of some other that was *barren*. Nevertheless, seeing it appeareth by *Bracton*, that of *Earldoms* and *Baronies* it was wont to be said, that the whole *Kingdome* was composed: as also, that these consisting of 60000 *Knights fees*, furnisht 60000 men for the *Kings* service, being the whole *Militia* of this *Monarchy*, it cannot be imagined, that the *Vavosories*, or *Freeholds* in the people amounted to any considerable proportion. Wherefore the *Ballance* and *Foundation* of this *Government* was in the 60000 *Knights fees*, and these being possest by the 250 *Lords*, it was a *Government* of the *Few*, or of the *Nobility*; wherein the *people* might also assemble, but could have no more than a meer name. And the *Clergy* holding

Barons by their possessions.

Cook. 11. *Inst. pag.* 596.

Ballance of the Neustrian Monarchy.

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ing a third to the whole *Nation* as is plaine by the *Parliament Rolle*; it is an abſurdity (ſeeing the *Clergy* of *France* came firſt through their riches to be a ſtate of that *Kingdome*) to acknowledge the *people* to have beene a *ſtate* of this *Realme*, and not to allow it unto the *Clergy*, who were ſo much more weighty in the *Ballance*, which is that of all other whence a ſtate or order in a *Government* is denominated: wherefore this *Monarchy* conſiſted of the *King*, and of the three (*Ordines Regni*, or) Eſtates, the *Lords ſpirituall* and *temporall*, and the *Commons*: It conſiſted of theſe I ſay as to the *ballance*, though during the raigne of ſome of theſe *Kings*, not as to the adminiſtration.

4 *Rich.* 2. *Num.* 13.

Adminiſtration of the *Neuſtrian Monarchy* during the raigne of the firſt kings

For, the ambition of *Turbo*, and ſome of thoſe that more immediately ſucceeded him to be abſolute *Princes*, ſtrove againſt the nature of their Foundation, and, in as much as he had divided almoſt the whole *Realme* among his *Neuſtrians*, with ſome incouragement for a while. But the *Neuſtrians* while they were but forraigne Plants, having no ſecurity againſt the *Natives*, but in growing up by their *Princes* ſides, were no ſooner well rooted in their vaſt *Dominions*, than they came up according to the infallible conſequence of the *Ballance Domeſticke*, and contracting the *Nationall* intereſt of the *Baronage* grew as fierce in the Vindication of the *Auncient rights and liberties* of the ſame, as if they had beene alwaies *Natives*: Whence, the *Kings* being as obſtinate on the one ſide for their *abſolute power*, as theſe on the other for their immunities, grew certaine *Wars* which tooke their Denomination from the *Barons*.

Barons by Writ.

This fire about the middle of the raigne of *Adoxus* began to break out; And whereas the predeceſſors of this *King*, had diverſe times beene forced to ſummon *Councills*; reſembling thoſe of the *Teutons*, unto which the *Lords* only that were *Barons* by *Dominion and Tenure* had hitherto repaired; *Adoxus* ſeeing the effects of ſuch *Dominion*, began firſt (not to call ſuch as were *Barons* by *Writs*, for that was according to the practice of *antient times*, but) to call ſuch by *Writs* as were otherwiſe no *Barons*, by which meanes ſtriving to avoid the conſequence of the *Ballance*, in coming unwillingly to ſet the *Government ſtreight*, he was the firſt that ſet it *awry*. For the *Barons* in his raigne, and his ſucceſſours, having vindicated their *antient Authority*, reſtored the *Parliament* with all the rights and Priviledges of the ſame, ſaving that from thenceforth the *Kings* had found out a way whereby to help themſelves againſt the mighty creatures of their own, and ſuch as had no other ſupport but by their favour. By which meanes this *Government* being indeed the *Maſter-piece of Moderne Prudence* hath beene cry'd up to the *Skyes*, as the only invention, whereby at once to maintaine the ſoveraignty of a *Prince*, and the liberty of the *people*: whereas indeed it hath beene no other than

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a wreſtling match, wherein the *Nobility*, as they have been ſtronger have thrown the *King*; or the *King* if he have been ſtronger, hath thrown the *Nobility*: or the *King* where he hath had a *Nobility*, and could bring them to his party, hath thrown the *people*, as in *France* and *Spain*: or the people where they have had no *Nobility*, or could get them to be of their party, have thrown the *King*, as in *Holland*, and of latter times in *Oceana*. But they came not to this ſtrength but by ſuch approaches and degrees, as remain to be further opened. For whereas the *Barons* by Writs (as the ſixty four *Abbots*, and thirty ſix *Priors* that were ſo called) were but *pro tempore*. *Dicotome* being the twelfth *King* from the *Conqueſt*, began to make *Barons* by *Letters Patents*: with the Addition of *honorary Penſions* for the Maintenance of their *Dignities* to them, and their Heirs; ſo that they were hands in the *Kings Purſe*, and had no *ſhoulders* for his *Throne*. Of theſe when the houſe of *Peers* came once to be full, as will be ſeen hereafter, there was nothing more empty. But for the preſent, the *Throne* having other ſupports, they did not hurt that ſo much as they did the *King*: For the old *Barons* taking *Dicotome*'s prodigality to ſuch creatures ſo ill, that they depoſed him; got the trick of it, and never gave over ſetting up, and pulling down of their *Kings* according to their various intereſts, and that faction of the *White and Red* into which they had been thenceforth divided, till *Panurgus* the eighteenth *King* from the *Conqueſt* was more by their favour than his right advanced unto the *Crown*. This *King* through his naturall ſubtilty reflecting at once upon the greatneſſe of their power, and the inconſtancy of their favour, began to find another flaw in this kind of *Government*, which is alſo noted by *Machiavill*; namely, that a *Throne* ſupported by a *Nobility*, is not ſo hard to be aſcended, as kept warm. Wherefore his ſecret jealouſie leſt the Diſſention of the *Nobility*, as it brought him in, might throw him out, travelled in wayes undiſcover'd by them, unto ends as little foreſeen by himſelf: while to eſtabliſh his own ſafety, he by mixing water with their Wine, firſt began to open thoſe *Sluces* that have ſince overwhelmed not the *King* onely, but the *Throne*: For whereas a *Nobility* ſtriketh not at the *Throne* without which they cannot ſubſiſt, but at ſome *King* that they do not like; *Popular power* ſtriketh through the *King* at the *Throne*, as that which is incompatible with it. Now that *Panurgus* in abating the power of the *Nobility*, was the cauſe whence it came to fall into the hands of the people, appears by thoſe ſeverall Statutes that were made in his raign; as that for *Population*; thoſe againſt *Retainers*; and that for *Alienations*.

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Barons by Letters Patents.

Diſſolution of the late Monarchy of Oceana.

By the Statute of *Population*, All houſes of *husbandry* that were uſed with twenty Acres of ground and upwards, were

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to be maintained, and kept up for ever with a competent proportion of Land laid to them, and in no wise, as appears by a subsequent Statute to be severed. By which means the houses being kept up, did of necessity inforce dwellers; and the proportion of Land to be tilled being kept up, did of necessity inforce the dweller not to be a *beggar* or *Cottager*, but a man of some substance that might keep friends and servants, and set the *Plough* on going: this did mightily concern (saith the *Historian* of that *Prince*) the might and manhood of the *Kingdom*, and in effect *amortize* a great part of the Lands unto the hold and possession of the *Yeomanry*, or *middle people*, who living not in a servile or indigent fashion, were much unlinked from dependance upon their *Lords*, and living in a free and plentifull manner, became a more excellent *Infantry*; but such an one upon which the *Lords* had so little power, that from henceforth they may be computed to have been disarmed.

And as they lost their *Infantry* after this manner, so their *Cavalry* and *Commanders* were cut off by the Statute of *Retainers*; for whereas it was the Custome of the *Nobility* to have younger Brothers of good houses, *metall'd fellows*, and such as were knowing in the feats of Arms about them; they who were longer followed with so dangerous a train, escaped not such punishments, as made them take up.

Henceforth the Country-lives, and great tables of the *Nobility*, which no longer nourished veins that would bleed for them, were fruitlesse and loathsome till they changed the *Air*, and of *Princes* became *Courtiers*, where their *Revenues*, never to have been exhausted by *Beef* and *Mutton*, were found narrow, whence followed *wracking of Rents*, and at length sale of *Lands*; the riddance through the Statute of *Alienations* being rendred far more quick and facile, than formerly it had been through the new invention of *intails*.

To this it happened, that *Coraunus* the Successour of that *King* dissolving the *Abbeys*, brought with the declining estate of the *Nobility* so vast a prey unto the Industry of the people, that the *Ballance* of the *Common-wealth* was too apparently in the *Popular party*, to be unseen by the wise Councel of *Queen Parthenia*, who converting her reign through the perpetuall Love-tricks that passed between her and her people into a kind of *Romanze*; wholly neglected the *Nobility*. And by these degrees came the House of *Commons* to raise that head, which since hath been so high and formidable unto their *Princes*; that they have looked pale upon those assemblies. Nor was there any thing now wanting unto the destruction of the *Throne*, but that the *people* not apt to see their own strength, should be put to feel it; when a *Prince*, as stiffe in disputes as the nerve of *Monarchy* was grown slack, received that unhappy encouragement

ment from his *Clergy*, which became his utter Ruine, while truſting more unto their *Logick*, than the rough *Philoſophy* of his *Parliament*, it came unto an irreparable breach; for the houſe of *Peers* which alone had ſtood in this Gap, now ſinking down between the *King* and the *Commons*, ſhewed that *Craſſus* was dead, and *Iſthmus* broken. But a *Monarchy* diveſted of her *Nobility*, hath no refuge under Heaven, but an Army. *wherefore the diſſolution of this Government cauſed the War, not the War the diſſolution of this Government.*

Of the *Kings* ſucceſſe with his Arms it is not neceſſary to give any further account, than that they proved as ineffectuall as his *Nobility*; But without a *Nobility* or an *Army* (as hath been ſhew'd) there can be no *Monarchy*. Wherefore what is there in Nature, that can ariſe out of theſe aſhes; but a *Popular Government*, or a new *Monarchy* to be erected by the victorious Army?

To erect a *Monarchy* be it never ſo new, unleſſe like *Leviathan* you can hang it (*as the Country fellow ſpeaks*) by *Geometry*, (for what elſe is it to ſay, that every other man muſt give up his will unto the will of this one man without any other *Foundation*?) it muſt ſtand upon old principles, that is, upon *Nobility* or an *Army* planted upon a due *Ballance* of *Dominion*. *Aut viam inveniam aut faciam*, was an *Adage of Cæſars*; and there is no ſtanding for a *Monarchy* unleſſe ſhe find this *Ballance* or make it. If ſhe find it, her work's done unto her hand; for, *where there is inequality of Eſtates, there muſt be inequality of Power; and where there is inequality of Power, there can be no Common-wealth.* To make it, her ſword muſt extirpate out of *Dominion* all other roots of power, and plant her *Army* upon that ground: an *Army* may be planted *Nationally* or *Provincially*. To plant it *Nationally*, it muſt be in one of the four wayes mentioned; that is, either *Monarchically* in part, as the *Roman Beneficiarii*; or *Monarchically* in the whole as the *Turkiſh Timariot*; *Ariſtocratically*, that is, by *Earls* and *Barons*, as the *Neuſtrians* were planted by *Turbo*: or *Democratically*, that is, by equall lots, as the *Iſraelitiſh Army* in the Land of *Canaan by Joſhuah*; in every one of theſe wayes there muſt not only be confiſcations, but confiſcations unto ſuch a proportion as may anſwer to the work intended.

Confiſcation of a *people* that never fought againſt you, but whoſe *Arms* you have born, and in which you have been victorious, and this upon premeditation, and in cool blood, I ſhould have thought to be againſt any *example in humane Nature*, but for thoſe alledged by *Machiavill of Agathocles, and Oliverteto da Fermo*: The former whereof being *Captain General* of the *Syracuſans*, upon a day aſſembled the *Senate* and the *people*, as if he had ſomething to communicate with them, when at a ſign gi-

ven he cut the *Senators* in pieces to a *man*, and all the richeſt of the *people*, by which means he came to be *King*. The proceedings of *Oliveretto* in making himſelf *Prince of Fermo*, was ſomewhat different in circumſtances, but of the ſame Nature. Nevertheleſſe *Catiline*, who had a ſpirit equall to any of theſe in his intended miſchief, could never bring the like to paſſe in *Rome*. The head of a ſmall *Common-wealth*, ſuch an one as was that of *Syracuſa* or *Fermo*, is eaſily brought unto the *Block*; but that a *populous Nation* ſuch as *Rome*, had not ſuch an one, was the grief of *Nero*. If *Sylla* or *Cæſar* attained to be *Princes*, it was by Civill War, and ſuch civil War as yielded rich ſpoils; there being a vaſt *Nobility* to be confiſcated; which alſo was the caſe in *Oceana*, when it yielded earth by *Earldoms* and *Baronies* to the *Neuſtrian*, for the plantation of his new *Potentates*. Where a *Conquerour* finds the riches of a Land in the hands of the *Few*, the forfeitures are eaſie, and amount to vaſt advantage; but where the *people* have equall ſhares, the confiſcation of many comes to little; and is not only dangerous, but fruitleſſe.

The *Romans* in one of their defeats of the *Volſci* found among the captives certain *Tuſculans*, who upon examination confeſt, that the *Arms* they bore, were by command of their State: whereupon information being given to the *Senate* by the Generall *Camillus*, he was forthwith commanded to march againſt *Tuſculum*; which doing accordingly, he found the *Tuſculane* fields full of *Husbandmen*, that ſtirred not otherwiſe from the *Plough*, than to furniſh his Army with all kind of accommodations and Victualls; drawing near to the *City*, he ſaw the *Gates* wide open, the *Magiſtrates* coming out in their *Gowns* to ſalute and bid him welcome: entring, the *Shops* were all at work, and open: the ſtreets ſounded with the noiſe of *Schoolboyes* at their books, there was no face of *War*. Whereupon *Camillus* cauſing the *Senate* to aſſemble, told them, That though the Art was underſtood, yet had they at length found out the true *Arms* whereby the *Romans* were moſt undoubtedly to be conquered, for which cauſe he would not anticipate the *Senate*, unto which he deſired them forthwith to ſend, which they did accordingly; and their *Dictator* with the reſt of their *Ambaſſadours* being found by the *Roman Senators* as they went into the houſe ſtanding ſadly at the Door, were ſent for in as friends, and not as Enemies. Where the *Dictator* having ſaid, If we have offended, the fault was not ſo great as is our *penitence*, and your *virtue*. The *Senate* gave them peace forthwith, and ſoon after made the *Tuſculanes Citizens of Rome*.

But putting the caſe, of which the World is not able to ſhew an *Example*, that the forfeiture of a *populous Nation*, not conquer'd, but friends, and in cool blood, might be taken;

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Your *Army* muſt be planted in one of the wayes mentioned: To plant it in the way of abſolute *Monarchy* that is upon *feuds* for life, ſuch as the *Timars*, a Country as large and fruitfull as that of *Greece*, would afford you but *ſixteen thouſand Timariots*, for that is the moſt the *Turk* (being the beſt husband that ever was of this kind) that makes of it at this day: and if *Oceana*, which is leſſe in fruitfulneſſe by one half, and in extent by three parts, ſhould have no greater a force, whoever breaketh *her* in one battle, may be ſure *ſhe* ſhall never riſe; for ſuch (as was noted by *Machiavil*) is the Nature of the *Turkiſh Monarchy*, if you break *her* in two battles, you have deſtroyed *her* whole *Militia*; and the reſt being all ſlaves, you hold her without any further reſiſtance: Wherefore the erection of an abſolute *Monarchy in Oceana*, or in any other Country that is no larger, without making it a certain prey unto the firſt invader, is altogether impoſſible.

To plant by halves as the *Roman Emperours* did their *Beneficiaries*, or *military Colonies*, it muſt be either for life; and this an *Army of Oceaners* in their own Country, (eſpecially having ſtates of inheritance) will never bear, becauſe ſuch an Army ſo planted is as well confiſcated as the *people*, nor had the *Mamalines* been contented with ſuch uſage in *Ægypt*, but that they were Forraigners, and daring not to mix with the Natives, it was of abſolute neceſſity to their Being.

Or planting them upon inheritance, whether *Ariſtocratically* as the *Neuſtrians*, or *Democratically*, as the *Iſraelites*, they grow up by certaine conſequence into the *Nationall intereſt*, and this if they be planted *popularly* comes unto a *Common-wealth*; if by way of *Nobility* unto a *mixed Monarchy*, which of all other will be found to be the only kind of *Monarchy*, whereof this *Nation* or any other that is of no greater extent hath beene or can be capable: for if the *Iſraelites* (through their *Democraticall Ballance* being fixed by their *Agrarian* ſtood firme,) be yet found to have elected *Kings*, it was becauſe their *Territory* lying open they were perpetually invaded, and being perpetually invaded turned themſelves to any thing, which through the want of experience they thought might be a remedy; whence their miſtake in election of their *Kings*, (under whom they gain'd nothing, but to the contrary loſt all they had acquired by their *Common-wealth*, *both Eſtates and Liberties*;) is not only apparent, but without parallell. And if there have beene (as was ſhewne) a *Kingdom of the Goths in Spain*, and of the *Vandalls in Aſia*, conſiſting of a *ſingle perſon*, and a *Parliament*, (*taking a Parliament to be a Councill of the people only, without a Nobility*) it is expreſſely ſaid of thoſe Councills, that they depoſed their *Kings* as often as them pleaſed: nor can there be other conſequence of ſuch a *Government*, ſeeing where there is a

Councill of the *people*, they do never receive *Lawes*, but give them; and a Councill giving *Lawes* unto a *ſingle perſon*, he hath no meanes in the World, whereby to be any more than a ſubordinate *Magiſtrate*, but force: in which caſe, he is not a *ſingle perſon* and a *Parliament*, but a *ſingle perſon and an Army*, which *Army* again muſt be planted as hath been ſhewn, or can be of no long Continuance.

It is true, that the *Provincial Ballance* being in Nature quite contrary unto the *National*, you are no wayes to plant a *Provinciall Army upon Dominion*. But then you muſt have a native *Territory* in ſtrength, *Situation*, or *Government* able to *overballance* the forreign, or you can never hold it. That an *Army* ſhould in any other caſe be long ſupported by a meer Tax, is a meer Phanſie as void of all reaſon and Experience, as if a man ſhould think to maintain ſuch an one by robbing of *Orchards*: for *a meer Tax is but pulling of Plumbtrees, the roots whereof are in other mens grounds*, who ſuffering perpetuall violence, come to hate the Author of it:. And it is a *Maxime*, that *no Prince that is hated by his people can be ſafe*. *Arms* planted upon Dominion extirpate enemies, and make friends; but maintained by a meer *Tax*, have enemies that have roots, and friends that have none.

To conclude, *Oceana*, or any other Nation of no greater extent muſt have a competent *Nobility*, or is altogether incapable of *Monarchy*: *for where there is equality of eſtates, there muſt be equality of power*; *and where there is equality of power, there can be no Monarchy.*

The generation of the Common-wealth.

To come then to the *generation* of the *Common-wealth*; it hath been ſhewn how through the wayes and means uſed by *Panurgus* to abaſe the *Nobility*, and ſo to mend that *flaw* which we have aſſerted to be *incurable* in this kind of *Conſtitution*, he ſuffered the *Ballance* to fall into the power of the *people*, and ſo broke the *Government*: but the *Ballance* being in the *people*, the *Common-wealth* (though they do not ſee it) is already in the Nature of them: (*Cornua nota prius Vitulo, quàm frontibus extant*) there wanteth nothing elſe but *time*, (which is ſlow and dangerous) or *art*, (which would be more quick and ſecure) for the bringing thoſe native *Arms* (wherewithall they are found already) to reſiſt they know not how every thing that oppoſeth them, unto ſuch maturity as may fix them upon their own ſtrength and *Bottom*.

What Prudence is.

But whereas this *Art is Prudence*; and that part of *Prudence*, which regards the preſent work, is nothing elſe but the skill of raiſing ſuch *Superſtructures* of *Government*, as are natural to the known *Foundations*: they never mind the *Foundation*, but through certain *animoſities*, (wherewith by ſtriving one againſt another they are infected) or through *freaks* by which not regarding

garding the courſe of things, nor how they conduce unto their purpoſe, they are given to building in the *Air*, come to be divided and ſubdivided into endleſſe parties and factions, both *Civill*, and *Eccleſiaſtical*: which briefly to open, I ſhall firſt ſpeak of the *people* in generall, and then of their diviſions.

A *people* (ſaith *Machiavill*) that is *corrupt*, is not capable of a *Common-wealth*: but in ſhewing what a *corrupt people* is, he hath either involved himſelf or me; nor can I otherwiſe come out of the *Labyrinth*, than by ſaying, that the *Ballance* altering a *people* as to the foregoing *Government*, muſt of neceſſity be *corrupt*; but *corruption* in this ſenſe ſignifieth no more then that the *corruption of one Government* (*as in natural bodies*) *is the generation of another*: wherefore if the *Ballance* alter from *Monarchy*, the *corruption* of the *people* in this caſe is that which maketh them capable of a *Common-wealth*: But whereas I am not ignorant, that the *corruption* which he meaneth is in *Manners*, this alſo is from the *Ballance*. For the *Ballance* ſwaying from *Monarchical* into *Popular*, abateth the Luxury of the *Nobility*, and inriching the *people*, bringeth the *Government* from a more *private* unto a more *publick* intereſt, which coming nearer, as hath been ſhewn, unto Juſtice and right Reaſon, the *people* upon a like alteration is ſo far from ſuch *corruption of Manners*, as ſhould render them uncapable of a *Common-wealth*, that of neceſſity they muſt thereby contract ſuch reformation of *manners* as will bear no other kind of *Government*. On the other ſide, where the *Ballance* changeth from *Popular to Oligarchical*, or *Monarchical*; the *publick* intereſt with the reaſon and juſtice included in the ſame, becometh more *private*, *Luxury* is introduced in the place of *Temperance* and *Servitude* in that of *Freedome*; which cauſeth ſuch a *corruption of manners* both in the *Nobility* and the *people*, as by the *Example of Rome* in the time of the *Triumvirs*, is more at large diſcovered by the *Author* to have been altogether incapable of a *Common-wealth*.

But the *Ballance* of *Oceana* changing quite contrary to that of *Rome*, the manners of the *people* were not thereby *corrupted*, but on the contrary *fitted* for a *Common-wealth*. For differences of opinion in a *people* (not rightly informed of their *Ballance*,) or diviſion into parties, while there is not any common *ligament* of power ſufficient to reconcile or hold them, is no ſufficient proof of *corruption* in a *people*: Nevertheleſſe, ſeeing this muſt needs be matter of *Scandall* and *danger*, it will not be amiſſe in ſhewing what were the parties, to ſhew what were their errours.

The parties into which this *Nation* was divided, were *Temporal* or *Spiritual*; and the *Temporal* parties were eſpecially *two*, the *one* the *Royaliſts*, the other *Common-wealths-men*; each of which aſſerted their different *Cauſes*, either out of *Prudence* or *Ignorance*; out of *intereſt* or *Conſcience*. For

For *Prudence*, either that of the *Ancients* is inferiour unto the *Modern*, (which we have hitherto been ſetting face to face, that any one may judge) or that of the *Royaliſts* muſt be inferiour unto that *prudence* of the *Common-wealths-man*: and for intereſt, taking the *Common-wealths-man* to have really intended the *publick* (for otherwiſe he is an *hypocrite*, and the worſt of men) that of the *Royaliſt* muſt of neceſſity have been more *private*: wherefore the whole diſpute will come upon matter of *Conſcience*; and this, whether it be urged by the right of *Kings*, the obligation of former *Lawes*, or of the *Oath of Allegiance*, is abſolved by the *Ballance*.

The Royaliſt

For if the right of *Kings* were as immediately derived from the breath of *God*, as the life of man; yet this excludeth not *death and diſſolution*. But, that the *diſſolution* of the late *Monarchy was as natural as the death of a man*, hath been already ſhewn: wherefore it remains with the *Royaliſts* to diſcover by what reaſon or experience it is poſſible for a *Monarchy* to ſtand upon a *popular Ballance*; or, the *Ballance* being *popular* as well the *Oath* of *Allegiance*, as all other *Monarchical Lawes*, imply an impoſſibility, and are therefore void.

The Commonwealths man.

To the *Common-wealths-man* I have no more to ſay, but that if he exclude any party, he is not truly ſuch; nor ſhall ever found a *Common-wealth* upon the natural principle of the ſame, which is *Juſtice*: and the *Royaliſt* for having oppoſed a *Common-wealth* in *Oceana* (where the Lawes were ſo ambiguous, that they might be eternally diſputed, and never reconciled) can neither be *juſtly*, for that cauſe, excluded from his full and equall ſhare in the *Government*; nor *prudently*, for this, that a *Common-wealth* conſiſting of a party will be in perpetuall labour of her own deſtruction: whence it was, that the *Romans* having conquered the *Albans* incorporated them with equall right into the *Common-wealth*: and if the *Royalliſts* be *fleſh of your fleſh*, and nearer of blood then were the *Albans* to the *Romans*, you are alſo *Chriſtians*: nevertheleſſe there is no reaſon that a *Common-Wealth* ſhould any more favour a party remaining in fixed oppoſition againſt her, then *Brutus* did his ſons. But if ſhe fix them upon that oppoſition, it is her fault, not theirs, and this is done by excluding them. Men that have equall poſſeſſions, and the ſame ſecurity of their eſtates and of their liberties that you have, have the ſame cauſe with you to defend; but if you will be *trampling*, they fight for *liberty*, though for *Monarchy*; and you for *Tyranny*, though under the name of a *Common-wealth*; the nature of orders in a *Common-wealth* rightly inſtituted being void of all Jealouſie, becauſe let the parties which ſhe imbraceth be what they will, her orders are ſuch, as they neither would reſiſt if they could, nor could if they would, as hath in part been already ſhewn;

ſhewn, and will appear more at large by the enſuing *Modell.*

The parties that are *Spiritual* are of more kinds then I need mention; ſome for a *National Religion*, and others for *liberty of Conſcience*, with ſuch animoſity on both ſides, as if theſe two did not conſiſt, of which I have already ſufficiently ſpoken; to ſhew, that the one cannot well conſiſt without the other. But they of all the reſt are the moſt dangerous, who holding that the *Saints* muſt *govern*, go about to reduce the *Common-wealth* unto a party, as well for the reaſons already ſhewn, as that their pretences are againſt Scripture, where the *Saints* are commanded to ſubmit unto the *higher powers*, and be *ſubject* unto the *Ordinance of man*. And, that men pretending under the notion of *Saints* or *Religion*, unto *Civil Power*, have hitherto never failed to diſhonour that profeſſion; the *world* is full of *Examples*, whereof I ſhall confine my ſelf at the preſent unto *two*, the *one* of *old*, the other of *new Rome*. *Religious parties.*

In *old Rome* the *Patricians* or *Nobility*, pretending to be the *Godly party*, were queſtioned by the *People* for ingroſſing all the *Magiſtracies* of that *Common-wealth*, had nothing to ſay why they did ſo, but (*Quòd nemo plebeius auſpicia haberet*) that *Magiſtracy* required a kind of *holineſſe* which was not in the *people*. (*Plebs ad id maximâ indignatione exarſit, quod auſpicari tanquam inviſi Diis immortalibus negarentur poſſe*) at which the *people* were filled with ſuch indignation, as had come to cutting of *throats*, if the *Nobility* had not forthwith laid by the inſolency of that *plea*: which nevertheleſſe when they had done, the *people* for a long time after continued to elect none other than *Patrician Magiſtrates*. *Saints.* *Livy*, 4. 8.

The *Example of new Rome* in the riſe and practice of the *Hierarchy*, (too well known to require any further illuſtration) is far more immodeſt.

This hath been the courſe of *Nature*: and when it hath pleaſed, or ſhall pleaſe *God* to introduce any thing that is above the courſe of *Nature*, he will as he hath alwayes done, confirm it by *miracle*; for ſo in his *Propheſie* of the raign of *Chriſt* upon earth, he expreſly promiſeth; ſeeing that *the ſoules of them that were beheaded for Jeſus, ſhall be ſeen to live and raign with him, which* will be *an object of ſenſe*; the rather, becauſe the reſt of the dead are not to live again untill the *Thouſand years* be finiſhed. And it is not lawfull for men to perſwade us that a thing is, though there be no ſuch *object* of our *ſence*, which *God* hath told us ſhall not be, untill it be an *object* of our *ſence*.

The *Saintſhip* of a *people* as to *Government* conſiſteth in the election of *Magiſtrates* fearing *God*, and hating *covetouſneſſe*, and not in their confining themſelves, or being confined unto men of this, or that *party* or *profeſſion*. It conſiſteth in making

ing the moſt *prudent* and *religious* choyce that they can, but not in truſting unto men, but, next *God*, in their *orders*. *Give us good men and they will make us good Lawes*, is the *Maxime* of a *Demagogue*, and (through the alteration which is commonly perceivable in men, when they have power to work their own wills) exceeding *fallible*. But *give us good orders, and they will make us good men*, is the *Maxime* of a *Legiſlator*, and the moſt *infallible* in the *Politickes*.

But theſe diviſions, (however there be ſome good men, that looke ſadly on them) are triviall things; *firſt* (as to the *civill concernment*) becauſe the *Government* whereof this *Nation* is capable * once ſeene taketh in all *intereſts*. And *ſecondly*, (as to the *ſpirituall*) becauſe as pretence of *Religion* hath alwaies beene turbulent in broken *Governments*, ſo where the *Government* hath beene ſound and ſteddy, *Religion* hath never ſhew'd her ſelfe with any other face than that of her *naturall ſweetneſſe, and tranquillity*: nor is there any reaſon why ſhe ſhould; Wherefore the *errours* of the *people* are occaſioned by their *Governours*. If they be doubtfull of the way, or wander from it, it is becauſe their *guides* miſled them; and the *guides* of the *people* are never ſo well qualified for leading by any *vertue* of their own, as by that of the *Government*.

* *the Errors of the people are from their Governours.*

The *Government of Oceana*, (as it ſtood at the time whereof we diſcourſe conſiſting of one ſingle Councill of the *people*, to the excluſion of the *King*, and of the *Lords*,) was called a *Parliament*; how be it the *Parliaments* of the *Teutons* and of the *Neuſtrians* conſiſted as hath beene ſhew'd of the King, Lords and *Commons*; wherefore this under an *old name* was a *new* thing. A *Parliament* conſiſting of a *ſingle aſſembly* elected by the *people* and inveſted with the whole power of the *Government*, without any *Covenants*, *Conditions*, or *orders whatſoever*. So new a thing that neither *auncient* nor *moderne Prudence* can ſhew any avow'd *example* of the like: And there is ſcarce any thing that ſeemeth unto me ſo ſtrange as that (*whereas there was nothing more familiar with theſe Counſellors than to bring the Scripture to the Houſe*) there ſhould not be a man of them, that ſo much as offerd to *bring the houſe unto the Scripture*, wherein as hath beene ſhewne is contained that *Originall*, whereof all the reſt of the *Common-wealths* ſeeme to be *copies*. Certainly if *Leviathan* (who is ſurer of nothing than that a *popular Common-wealth* conſiſteth, but of one Councill) tranſcribed his doctrine out of this *Aſſembly*, for him to except againſt *Ariſtotle* and *Cicero* for writing out of their own *Common-wealths*, was not ſo fair play; or if the *Parliament* tranſcribed out of him, it had beene an honour better due unto *Moſes*. But where one of them ſhould have an *Example*, but from the other, I cannot imagine; there being nothing of this kind that I can find in ſtory but the

Oligarchy of *Athens*, the thirty *Tyrants* of the *same*, and the *Roman Decemvirs*.

For the *Oligarchy*, *Thucidides* tells us that it was a *Senate* or *Council* of foure hundred, pretending to a *Ballancing Councill* of the *people* consisting of five thousand but not producing them, wherein you have the *definition* of an *Oligarchy*, which is *a single Councill both debating and resolving, dividing and choosing*; and what that must come to, was shewne by the *Example* of the *Girles*, and is apparent throughout all experience; wherefore the *thirty* set up by the *Lacedemonians*, (when they had conquered *Athens*) are called *Tyrants* by all *Authors*; *Leviathan* only excepted, who will have them against all the World to have been an *Aristocracy*; but for what reason I cannot imagine, these also as voyd of any *Ballance* having been void of that which is essentiall to every *Common-wealth*, whether *Aristocraticall* or *Popular*; except he be pleased with them in that, by the *Testimony of Xenophon*, they killed more men in *eight Moneths*, then the *Lacedemonians had* done in *ten yeares*: oppressing the *people* (to use *Sir. Wa: Raleighs* words) with all base and intolerable *slavery*. *Lib.* 8.

The usurped *Government* of the *Decemvirs in Rome* was of the same kind. Wherefore in the feare of *God* let Christian *Legislators*, (setting the *patterne*, given in the *Mount* on the one side, and these execrable *Examples* on the other) know the right hand from the left; and so much the rather because those things, which do not conduce to the good of the *Governed*, are fallacious, if they appeare to be good for the *Governours*. *God* in chastizing a *people* is accustomed to burne his *Rod*. The *Empire* of these *Oligarchies* was not so violent as short, nor did they fall upon the *people* but in their own immediate ruine. A Councill without a *Ballance* is not a *Common-wealth*, but an *Oligarchy*; & every *Oligarchy*, except she be put to the defence of her wickednes, or power, against some outward danger, is factious: Wherfore the errours of the *people* being from their *Governours* (*which Maxim in the Politicks* bearing a sufficient testimony unto it selfe, is also proved by *Machiavill*) if the *people of Oceana* have beene factious, the cause is apparent; *But what remedy?*

In answer to this question, I come now to the *Army*: of which the most victorious Captaine and incomparable patriot *Olphaus Megaletor* was now *Generall*: Who being a much greater master of that art, whereof I have made a rough draught in these *Preliminaries*, had so sad reflections upon the waies and proceedings of the *Parliament*, as cast him upon *books*, and all other *meanes* of diversion, among which he happened upon this place of *Machiavill*. "*Thrice happy is that people which chances to* "*have a man able to give them such a Government at once, as with-* *The General.*

"out alteration may ſecure them of their liberties: Seeing it is cer-
"taine, that Lacedemon in obſerving the Lawes of Lycurgus, conti-
"nued about eight hundred yeares without any dangerous tumult or
"corruption. My *Lord Generall* (as it is ſaid of *Themiſtocles*, that he could not ſleepe for the glory obteined by *Miltiades* at the battle of *Maratho*) took ſo new, and deepe impreſſion at theſe words of the much greater glory of *Lycurgus*, that being on this ſide aſſaulted with the *emulation* of his illuſtrious object, on the other with the *miſery* of the *Nation*, which ſeemed, (as it were ruined by his *Victory*) to caſt her ſelfe at his feete, he was almoſt wholly deprived of his naturall reſt, untill the debate he had within himſelfe, came to a firme reſolution, that the greateſt advantages of a *Common-wealth* are, *firſt* that the *Legiſlator* ſhould be one man: and *ſecondly* that the *Government* ſhould be made altogether, or at once. For the firſt it is certaine ſaith *Machiavill*, that a *Common-wealth* is ſeldome or never well turned or conſtituted, except it have been the work of one man: for which cauſe a wiſe *Legiſlator*, and one whoſe mind is firmely ſet, not upon *private* but the *publick* intereſt, not upon his *poſterity* but upon his *Country*, may juſtly endeavour to get the ſoveraigne *power* into his own hands; nor ſhall any man that is maſter of reaſon blame ſuch extraordinary meanes as in that caſe ſhall be neceſſary, the end proving no other, than the conſtitution of a well ordered *Common-wealth*. The reaſon of this is demonſtrable; for the ordinary meanes not failing, the *Common-wealth* hath no need of a *Legiſlator*; but the *ordinary* meanes failing, there is no recourſe to be had but to ſuch as are *extraordinary*. And, whereas a Book or a Building hath not been known to attaine to perfection, if it have not had a ſole *Author*, or *Architect*: a *Common-wealth*, as to the Fabrick of it, is of the like nature. And thus it may be made at once; in which, there be great advantages: for a *Common-wealth* made at once, taketh her Security at the ſame time ſhe lendeth her *Money*; truſteth not her ſelfe to the faith of men, but lancheth immediately forth into the *Empire of Lawes*: and being ſet ſtreight bringeth the manners of her *Citizens* unto her rule: whence followed that uprightneſſe which was in *Lacedemon*. But manners that are rooted in men, bow the tenderneſſe of a *Common-wealth* coming up by twigs unto their bent; whence followed the obliquity that was in *Rome*, and thoſe perpetuall repaires by the *Conſuls Axes* and *Tribunes Hammers*, which could never finiſh that *Common-wealth* but in deſtruction.

Def. B. 1. c 9.

That a Legiſlator is to be one.

That a Common-wealth is to be made at once.

My *Lord Generall* being clear in theſe points, and the neceſſity of ſome other courſe than would be thought upon by the *Parliament*, appointed a *Randezvous* of the *Army*, where he ſpoke his ſenſe agreeable to theſe *Preliminaries* with ſuch ſucceſſe,

ceſſe unto the *Souldiery*, that the *Parliament* was ſoon after depoſed; and himſelf (in the great Hall of the *Pantheon* or *Palace* of *Juſtice*, ſcituated in *Emporium the Capital City*) created by the univerſall ſuffrage of the *Army*; *Lord Archon*, or ſole *Legiſlator* of *Oceana*; upon which *Theater* you have, to conclude this piece, a Perſon introduced, whoſe Fame ſhall never draw his *Curtain*.

The *Lord Archon* being created, fifty ſelect perſons to aſſiſt him (by labouring in the Mines of *ancient Prudence*, and bringing her hidden *Treaſures* unto new light) were added, with the ſtyle alſo of *Legiſlators*, and ſate as a *Council* whereof he was the ſole *Director* and *Preſident*.

The Council of Legiſlators.

OF this Piece, being the greater half of the whole Work, I ſhall be able at this time to give no farther Account, then very briefly to ſhew at what it aymes.

My *Lord Archon* in opening the Councill of *Legiſlators*, made it appear how unſafe a thing it is to follow *Phanſie* in the Fabrick of a *Common-wealth*; and how neceſſary that the *Archives* of *ancient prudence* ſhould be ranſackt, before any Counſellour ſhould preſume to offer any other matter in order to the Work in hand, or towards the conſideration to be had by the *Councill* upon a *Modell of Government*. Wherefore he cauſed an *Urn* to be brought, and every one of the *Counſellours* to draw a *Lot*: by the *Lots* as they were drawn.

The Common-wealth	of *Iſrael*,	fell unto	*Phoſphorus* de *Auge*.
	of *Athens*,		*Navarchus* de *Paralo*.
	of *Lacedemon*,		*Laco* de *Scytale*.
	of *Carthage*,		*Mago* de *Syrtibus*.
	of the *Achæans*,		
	Ætolians, & *Lycians*,		*Aratus* de *Iſthmo*.
	of the *Switz*,		*Alpeſter* de *Fulmine*.
	of *Holland*, & the *United Provinces*,		*Glaucus* de *Ulna*.
	of *Rome*,		*Dolabella* de *Enyo*.
	of *Venice*,		*Lynceus* de *Stella*.

Theſe containing in them all thoſe excellencies whereof a *Common-wealth* is capable; ſo that to have added more, had been to no purpoſe; upon time given unto the *Counſellours* by their own ſtudies, and thoſe of their friends to prepare themſelves, were opened in the Order, and by the perſons mentioned at the *Council* of *Legiſlators*; and afterwards by order of the ſame were repeated at the *Council* of the *Prytans* unto the *people*; for in drawing of the *Lots*, there were a matter of a Dozen of them inſcribed with the letter P. which the Counſellours that drew became *Prytans*.

The

The *Prytans* were a Committee or Councill ſitting in the great Hall of *Pantheon*, to whom it was lawfull for any man to offer any thing in order to the Fabrick of the *Common-wealth*: for which cauſe, that they might not be oppreſſed by the throng, there was a *Rail* about the *Table* where they ſate, and on each ſide of the ſame a *Pulpit*; that on the right hand for any man that would propoſe any thing; and that on the left for any other that would oppoſe him; and all parties (being indemnify'd by Proclamation of the *Archon*) were invited to diſpute their own intereſts, or propoſe whatever they thought fit (in order to the future *Government*) to the *Council* of the *Prytans*, who (having a guard of a matter of two or three hundred men, leſt the heat of the diſpute might break the peace) had the right of *Moderators*, and were to report from time to time ſuch *Propoſitions* or *Occurrences* as they thought fit, to the *Council of Legiſlators* ſitting more privately in the *Pallace* called *Alma*.

This was that which made the *people* (who were neither *ſafely* to be *admitted* unto, nor *conveniently* to be *excluded* from the framing of their *Common-wealth*) verily believe when it came forth, that it was no other than that, whereof they themſelves had been the makers.

Moreover, this *Council* ſate divers *Months* after the publiſhing, and during the promulgation of the *Modell* unto the *people*, by which means there is ſcarce any thing was ſaid or written for or againſt the ſaid *Modell*, but you ſhall have it with the next *impreſſion* of this Work by way of *Oration* addreſſed unto, and moderated by the *Prytans*.

By this means the Council of *Legiſlators* had their neceſſary ſolitude and due aym in their greater Work, as being acquainted from time to time with the pulſe of the people, and yet without any manner of interruption or diſturbance.

Wherefore every *Common-wealth* in her place having been opened by her due *Method*; that is, *firſt*, by the people; *ſecondly*, by the *Senate*; and *thirdly*, by the *Magiſtracy*; The *Council* upon mature debate took ſuch reſults or orders, out of each one, and out of each part of each one of them, as upon opening the ſame they thought fit; which being put from time to time in writing by the *Clerk* or *Secretary*, there remained no more in the concluſion, than putting the Orders ſo taken together, to view and examine them with a diligent Eye, to the end that it might be clearly diſcovered whether they did *enterfere*, or could any wiſe come to *interfere* or *joſtle* one the other; for as ſuch orders *joſtling*, or coming to *joſtle* one another, are the certain diſſolution of the *Common-wealth*; ſo taken upon

upon the proof of like experience, and neither *joſtling*, nor ſhewing which way they can poſſibly come to *joſtle* one another, make a perfect, and (for ought that in *humane prudence* can be foreſeen) an *immortal Common-wealth*.

And ſuch was the *Art* whereby my *Lord Archon* (taking Counſel of the *Common-wealth* of *Iſrael* as of *Moſes*; and of the reſt of the *Common-wealths*, as of *Jethro*) framed the *Modell* of the *Common-wealth* of *Oceana*.

THE

THE MODELL OF The Common-Wealth OF Oceana.

WHereas my *Lord Archon*, being, from *Moſes* and *Lycurgus*, the firſt *Legiſlator* that hitherto is found in Story to have introduced or Erected an Entire *Common-wealth* at once, happened, like them alſo, to be more intent upon putting the ſame into Execution or Action, then into Writing; by which means the *Modell* came to be promulgated or publiſhed with more Brevity and leſſe illuſtration then is neceſſary for their underſtanding who have not been acquainted with the whole proceedings of the *Council* of *Legiſlators*, & of the *Prytans*, where it was aſſerted and cleared from all objections and doubts: Unto the end that I may ſupply what was wanting in the promulgated Epitome, unto a more full and perfect Narrative of the whole, I ſhall rather take the *Common-wealth* practically, and as ſhe hath now given Account of her ſelf in ſome years Revolutions, (as *Dicæarchus* is ſaid to have done that of *Lacedemon*, firſt tranſcrib'd by his hand ſome three or four hundred years after the Inſtitution) yet not omitting to adde for proof, unto every order ſuch *Debates* and *Speeches* of the *Legiſlators* in their *Councill*, or at leaſt ſuch parts of them as may beſt diſcover the reaſon of the *Government*, nor ſuch wayes and means as were uſed in the Inſtitution or Riſe of the *Building*, not to be ſo well Conceived, without ſome knowledge given of the Engines wherewithall the mighty Weight was moved. But through the intire omiſſion of the *Councel* of *Legiſlators* or *Workmen* that ſquared Every ſtone unto this Structure in the quarries of *Ancient Prudence*, the proof of the firſt part of this Diſcourſe will be lame, except I inſert as well for illuſtration, as to avoid frequent Repetition, three remarkable Teſtimonies in this place. *Suidas.*

The

Exo. 18. 24. *Numb.* 1. 16. *Math.*

The first is taken out of the *Common-wealth* of *Israel*; *So Moses hearkened unto the voice of* (Jethro) *his Father in Law, and did all that he had said. And Moses chose able men out of all Israel, and made them heads over the people,* (Tribunes as it is in the vulgar Latine; or *Phylarches*, that is) *Princes of the Tribes*, sitting (*Sellis Curulibus*, saith *Grotius*) upon twelve Thrones, and judging the twelve Tribes of *Israel*; and next unto these he chose Rulers of Thousands, Rulers of Hundreds, Rulers of Fifties, and Rulers of Tens, which were the steps or rise of this *Common-wealth*, from her foundation or root, unto her proper Elevation, or accomplishment in the *Sanhedrim*, and the Congregation, already opened in the *Preliminaries*.

Crag. de Rep. Lac. Lib. 1. *Cap.* 6.

The Second is taken out of *Lacedemon*, as *Lycurgus* (for the greater impression of his Institutions upon the minds of his Citizens) pretended to have received the Modell of that Common-wealth from the Oracle of *Apollo* at *Delphos*, the words whereof are thus recorded by *Plutarch* in the Life of that famous Legislator, [When thou shalt have divided the People into Tribes, (which were six) and *Oba's*, (which were five in every Tribe) thou shalt Constitute the *Senate*, consisting with the two Kings of thirty Counsellours, who according as occasion requireth, shall cause the Congregation to be Assembled between the Bridge and the River *Gnavon*, where the *Senate* shall propose unto the People, and dismisse them without suffering them to debate. The *Obæ* were linages into which every Tribe was divided, and in each Tribe there was one other Division containing all those of the same that were of military Age; which being called the *Mora*, was subdivided into Troops and Companies that were held in perpetuall discipline under the Command of a Magistrate called the *Polemarche*.

Halicar.

The Third is taken out of the *Common-wealth* of *Rome*, or those parts of it which are comprized in the first and second book of *Livy*, where the people according to the Institution by *Romulus*, are first divided into Thirty *Curia's* or Parishes, whereof he Elected (by three out of each *Curia*) the *Senate*, which from his Reign unto that of *Servius Tullius* proposed unto the Parishes or Parochial Congregations, and these being called the *Comitia Curiata*, had the Election of the Kings, (*Quirites, Regem create; ita patribus visum est.* Again, *Tullium Hostilium Regem Populus Jussit, Patres authores facti*) the Confirmation of their Lawes (*Ut ab Romulo traditum, suffragium virtim eadem vi, eodemq; jure omnibus Datum est*); and the last appeal in matters of Judicature, as appears in the Case of *Horatius* that killed his Sister; Till in the Raign of *Servius* (*non enim ut ab Romulo traditum*

traditum cæteri ſervaverunt reges) the *people* being grown ſomewhat, either the power of the *Curiata* was for the greater part tranſlated unto the *Centuriata Comitia* inſtituted by this King, which diſtributed the people according to the ſenſe or valuation of their Eſtates unto ſix Claſſes, every one containing about fourty Centuries, divided into Youth and Elders; the Youth for field-ſervice, the Elders for the defence of their Territory, all armed and under continual Diſcipline, in which they aſſembled both upon Military and Civill occaſions. But when the *Senate* propoſed unto the *People*, the horſe onely whereof there were twelve Centuries, conſiſting of the Richeſt ſort over and above thoſe of the foot enumerated, were called with the firſt Claſſis of the foot unto the ſuffrage; or if theſe accorded not, then the ſecond Claſſis was called to them, but ſeldom or never any of the reſt. Wherefore the people after the expulſion of the Kings, growing impatient of this inequality, reſted not till they had reduced the Suffrage as it had been in the *Comitia Curiata* to the whole People again; But in another way, that is to ſay, by the *Comitia Tributa*, which thereupon were inſtituted, being a *Council* where the *People* in Exigencies made Lawes without the *Senate*; which Lawes were called *Plebiſcita*. This Councill is that in regard whereof *Cicero* and other great Wits ſo frequently inveigh againſt the People, and ſometimes even *Livy*, as at the Inſtitution: (*Hunc Annum inſignem maximè Comitia Tributa efficiunt; res major victoriâ ſuſcepti certaminis quam uſa, plus enim dignitatis Comitiis ipſis detractum eſt, patribus ex Concilio ſubmovendis, quam Virium aut plebi additum aut demptum patribus*) To ſay truth, it was a kind of *Anarchy*, whereof the people could not be excuſable, if there had not, through the Courſes taken by the *Senate*, been otherwiſe a neceſſity that they muſt have ſeen the *Common-wealth* run into *Oligarchy*.

The Manner how the *Comitia Curiata*, *Centuriata*, or *Tributa* were called, (during the time of the *Common-wealth* to the Suffrage, was by lot: the *Curia*, Century or Tribe whereon the firſt lot fell, being ſtyled *Principium*, or the prerogative; and the other *Curiæ*, Centuries, or Tribes, whereon the ſecond, third, fourth Lots, &c. fell, the *Jure vocatæ*; from henceforth not the firſt Claſſis, as in the times of *Servius*; but the Prerogative, whether *Curia*, Century or Tribe, came firſt to the Suffrage, whoſe Vote was called *omen Prærogativum*, and ſeldom failed to be leading unto the reſt of the Tribes: The *Jure vocatæ* in the order of their Lots came next: the Manner of giving ſuffrage was, by caſting woodden Tablets marked for the affirmative, or the *Negative*, into certain Urns ſtanding upon a Scaffold as they marched over it in files; which for the Reſemblance it bore, was called the Bridge; the Candidate *Sigonius.*

or Competitor who had moſt Suffrages in a *Curia*, Century or Tribe, was ſaid to have that *Curia* Century or Tribe; and he who had moſt of the *Curiæ* Centuries or Tribes, carried the Magiſtracy.

Theſe three places being premiſed as ſuch upon which there will be frequent Reflexion, I come unto the Narrative, divided into two parts, the firſt containing the Inſtitution, the ſecond the Conſtitution of the *Common-wealth*; in each whereof I ſhall diſtinguiſh the Orders, as thoſe which contain the whole *Model*, from the reſt of the Diſcourſe, which tendeth onely unto the Explanation or proof of them.

Inſtitution of the Common-wealth.

In the Inſtitution or building of a Common-wealth, the firſt Work (as that of builders) can be no other then fitting and diſtributing the Materials.

Diviſions of the People.

The materials of a Common-wealth are the people; And the People of *Oceana* were diſtributed by caſting them into certain Diviſions, regarding their Quality, their Ages, their Wealth, and the Places of their reſidence or habitation, which was done by the enſuing Orders.

1. *Order.* Into Freemen, and Servants.

The firſt Diſtributing the people into Freemen or Citizens, and Servants, while ſuch; for if they attain unto Liberty, that is, to live of themſelves, they are Freemen or Citizens.

This Order needeth no proof, in regard of the nature of ſervitude, which is inconſiſtent with Freedom or Participation of *Government* in a *Common-wealth*.

2. *Order.* Into Youth and Elders.

The ſecond Order diſtributeth Citizens into Youth and Elders (ſuch as are from 18. years of Age to 30, being accounted Youth; and ſuch as are of 30. and upwards Elders) and eſtabliſheth that the Youth ſhall be the marching Armies, and the Elders the ſtanding Garriſons of this Nation.

A *Common-wealth* whoſe Arms are in the hands of her ſervants, had need be ſituated (as is elegantly ſaid of *Venice* by *Contarini Lontana, dalla fede degli huomini*) out of the reach of ſuch Clutches; witneſſe the danger run by that of *Carthage* in the Rebellion of *Spendius* and *Matho*. But though a City (if one ſwallow make a Summer) may thus chance to be ſafe, yet ſhall ſhe never be great; for if *Carthage* or *Venice* acquired any fame in their Arms, it is known to have happened through the meer virtue of their Captains, and not of their Orders: wherefore *Iſrael*, *Lacedemon*, and *Rome* intailed their Arms upon the prime of their Citizens, divided (at leaſt in *Lacede-*

mon

mon and *Rome*) into Youth and Elders; the Youth for the Field, and the Elders for defence of the Territory.

The third Order distributeth the Citizens into Horse and Foot by the Cense or valuation of their Estates; they who have above one hundred pounds a year in Lands, Goods, or Moneys, being obliged to be of the Horse; and they who have under to be of the Foot. But if a man have prodigally wasted and spent his Patrimony, he is neither capable of Magistracy, Office, nor Suffrage in the Commonwealth.

3. *Ord.* Into Horse and Foot.

Citizens are not onely to defend the Common-wealth, but according to their Abilities, as the *Romans*, under *Servius Tullius* (regard had unto their Estates) were some inrolled in the Horse Centuries, and other of the Foot, with Arms enjoyned accordingly; nor could it be otherwise in the rest of the Common-wealths; though out of Remains that are so much darker it be not so clearly proveable. And the necessary prerogative to be given by a Common-wealth unto Estates in some measure is in the nature of industry, and the use of it to the Publick, (*Populus Romanus*, (saith *Julius Exuperantius*) *per Classes Divisus erat, et pro Patrimonii facultate censebantur; ex iis, omnes quibus res erat, ad militiam Ducebantur: diligenter enim pro victoria laborabant qui ex libertate bonâ patriam defendebant: Illi autem quibus nullæ opes erant, Caput suum, quod solum possidebant, censebantur et belli tempore in mœnibus residebant; facilè enim poterant existere proditores, quia egestas haud facilè habetur sine Damno. Hos igitur Marius, quibus non fuerat Resp. committenda, duxit ad bellum*: and his successe was accordingly): There is a mean in things; as exorbitant riches overthrow the ballance of a Common-wealth, so Extream poverty cannot hold it, nor is by any means to be trusted with it. The clause in the Order concerning the Prodigall is *Athenian*, and a very Laudable one; for he that could not live upon his patrimony, if he come to touch the publick money, makes a Common-wealth Bank-rupt.

The Fourth Order distributeth the People according unto the places of their habitation, into Parishes, Hundreds and Tribes.

4. *Ord.* into Parishes, Hundreds, and Tribes.

For except the People be methodically distributed, they cannot be methodically Collected: but the being of a Common-wealth consisteth in the methodicall collection of the people; wherefore you have the *Israelitish* Divisions into Rulers of Thousands, of Hundreds, of Fifties, and of Tens; and of the whole Common-wealth, into Tribes. The *Laconick* into

Oba's, *Mora's* and Tribes; the *Roman* into Tribes, Centuries, and Classes; and something there must of necessity be in every *Government* of like nature; as that in the late *Monarchy*, by Counties: But this being the onely Institution in *Oceana*, (except that of the *Agrarian*) which required any charge, or included any difficulty, engageth me unto a more particular description of the manner how it was performed, as followeth.

The use and method of the Surveyors.

One thousand Surveyors Commissionated and instructed by the Lord *Archon* and the *Council*, being divided into two equal numbers, each under the inspection of two Surveyors general were distributed into the Northern and Southern parts of the Territory, divided by the River *Hemisua*, the whole whereof containeth about Ten thousand Parishes, some ten of those being assigned unto each Surveyor; For as to this matter there needed no great exactnesse, it tending onely, by shewing whither every one was to repair, and where about to begin; unto the more orderly carrying on of the work: The nature of their Instructions otherwise regarding rather the number of the Inhabitants, then of the Parishes. The Surveyors therefore being every one furnished with a proportion convenient of Urns, Balls and Ballotting Boxes, (in the use whereof they had been formerly exercised) and now arriving each at his respective Parishes, began with the People by teaching them their first lesson, which was the Ballot; and albeit they found them in the beginning somewhat Froward as at toyes, with which, while they were in Expectation of greater matters from a *Council* of *Legislators*, they conceived themselves to be abused, they came within a while to think them pretty sport, and at length such as might very soberly be used in good Earnest; whereupon the Surveyors began the Institution included in

5. *Ord.* Institution of the Parishes of the Ballot and of the Deputies.

The Fifth Order requiring, That upon the first Munday next ensuing the last of December, the bigger Bell in every Parish throughout the Nation, be rang at eight of the Clock in the morning, and continue Ringing for the space of one Hour; and that all the Elders of the Parish respectively repair unto the Church before the Bell have done ringing; where dividing themselves into two equall Numbers, or as near Equall as may be, they shall take their places according to their Dignities, if they be of divers qualities, and according to their seniority, if they be of the same, the one half on the one side, and the other half on the other, in the body of the Church; which done, they shall make oath unto the Overseers of the Parish for the time being, (instead of these the Surveyors was to officiate at the Institution or

first

first Assembly) by holding up their hands, to make a fair Election according unto the Lawes of the Ballot, as they be hereafter Explained, of such persons amounting unto a Fifth part of their whole number to be their Deputies, and to exercise their power in manner hereafter explained, as they shall think in their Consciences to be fittest for that trust, and will acquit themselves of it to the best advantage of the Common-wealth. And, oath being thus made, they shall proceed unto Election, if the Elders of the Parish amount unto one Thousand by the Ballot of the Tribe (as it is in due place Explained): And if the Elders of the Parish amount unto Fifty or upwards, but within the Number of one Thousand, by the Ballot of the Hundred (as it is in the due place explained); But if the Elders amount not unto Fifty, then they shall proceed unto the Ballot of the Parish as it is in this place, and after this manner explained. The two Overseers for the time being, shall seat themselves at the upper end of the middle Alley, with a Table before them, their faces being towards the Congregation: And the Constable for the time being shall set an Urn before the Table, into which he shall put so many Balls as there be Elders present, whereof there shall be one that is gilded, the rest being white; and when the Constable hath shaken the Urn sufficiently to mix the Balls, the Overseers shall call the Elders unto the Urn, who from each side of the Church, shall come up the middle Alley in two files, every man passing by the Urn, and drawing one Ball, which if it be silver, he shall cast into a Bowl standing at the foot of the Urn, and return by the outward Alley on his side unto his place: But he who draweth the gold-Ball is the proposer, and shall be seated between the Overseers, where he shall begin in what order he pleaseth, and name such as (upon his oath already taken) he conceiveth fittest to be chosen, one by one unto the Elders; and the party named shall withdraw while the Congregation is in Ballotting of his name by the double Box or Boxes appointed and marked on the outward part, to shew which side is Affirmative, and which Negative, being carried by a Boy or Boyes appointed by the Overseers, unto every one of the Elders, who shall hold up a pellet made of linnen rags, between his finger and his thumb, and put it after such a manner into the box, as though no man can see into which side he putteth it; yet any man may see that he puts in but one pellet, or suffrage; and the suffrage of the Congregation being thus given, shall be returned with the Box or Boxes unto the Overseers, who opening the same shall pour the affirmative Balls into a white Bowl standing upon the Table on the

right

right hand, to be numbred by the first Overseer; and the Negative into a Green Bowl standing on the left hand, to be numbred by the second Overseer: and the suffrages being numbred, he who hath the major part in the Affirmative, is one of the Deputies of the Parish; and when so many Deputies are chosen as amounts unto a full fifth part of the whole number of the Elders the Ballot for that time shall cease. The Deputies being chosen are to be listed by the Overseers in order as they were Chosen, save only that such as are Horse are to be listed in the first place with the rest proportionably to the number of the Congregation, after this Manner:

Anno Dom.

The List of the first Mover.

A. A. ord. eq.	1. Dep.	of the Parish of — in the Hundred of — and the Tribe of — which Parish at the present Election containeth 20 Elders, whereof one of the Horse or Equestrian Order.
B. B.	2. Dep.	
C C.	3. Dep.	
D. D.	4. Dep.	
E. E.	5. Dep.	

The first and second in the List are Overseers by Consequence: the third is the Constable, and the fourth and fifth are Church-Wardens; the persons so chosen are Deputies of the Parish for the space of one year from their Election, and no longer, nor may they be Elected two years together. This List, being the Primum Mobile, or first mover of the Common-wealth, is to be Registred in a Book, diligently kept and preserved by the Overseers, who are Responsible in their places for these and other Duties to be hereafter mentioned, unto the Censors of the Tribe, and the Congregation is to observe the present Order, as they will Answer the contrary unto the Phylarch, or Prerogative Troop of the Tribe; which, in case of failure in the whole or any part of it, have power to Fine them or any of them, at discretion, but under an Appeal unto the Parliament.

For proof of this Order, in Reason: it is with all Polititians past dispute, that paternal power is in the right of nature; and this is no other then the derivation of power from Fathers of Families, as the naturall Root of a Common-wealth; and for Experience, if it be otherwise in that of *Holland*, I know no

no other Example of like kind. In *Israel*, the Soveraign power came clearly from the natural root, the Elders of the whole people, and *Rome* was born *Comitiis Curiatis* in her Parochial Congregations, out of which *Romulus* first raised her *Senate*, then all the rest of the Orders of that Common-wealth, which rose so high: For the depth of a Common-wealth is the just height of it. Jos. 24. 1.

Ipsa hæret Scopulis et tantum vertice ad auras
Æthereas, quantum Radice ad Tartara, tendit.

She raises up her head unto the Skies;
Neer as her Root unto the center lies.

And if the Common-wealth of *Rome* were born of thirty Parishes, this of *Oceana* was born of Ten thousand. But whereas mention in the Birth of this is made of an *Equestrian* Order, it may startle such as know that the division of the people of *Rome* at the Institution of that Common-wealth into Orders, was the occasion of her ruine. The distinction of the *Patrician* as an hereditary order from the very Institution, engrossing all the Magistracies, was indeed the destruction of *Rome*; but to a Knight or one of the *Equestrian* Order, saith *Horace*:

Si quadringentis sex, septem millia desunt
Plebs eris.

By which it should seem that this order was no otherwise hereditary then a man's Estate, nor gave it any Claim to Magistracy; wherefore you shall never find that it disquieted the *Common-wealth*; nor doth the name denote any more in *Oceana*, then the Duty of such a mans Estate unto the Publique.

But the Surveyors both in this place and in others, for as much as they could not observe all the circumstances of this Order, especially that of the time of Election, did for the first as well as they could; and the Elections being made and Registred, took each of them Copies of those Lists which were within their allotments; which done, they produced,

The Sixth Order, directing, in case a Parson or Vicar of a Parish come to be removed by death, or by the Censors, that the Congregation of the Parish Assemble and depute one or two Elders of the Ballot, who upon the charge of the Parish shall repair unto one of the Universities of this Nation with a Certificate signed by the Obtesters, and addressed unto the Vice-Chancellor: which Certificate giving

ring notice of the death or Removall of the Parson or Vicar, of the value of the Parsonage or Vicaridge, and of the desire of the Congregation to receive a Probationer from that University; the Vice-Chancellor upon the Receipt thereof shall call a Convocation, and having made choyce of a fit person, shall return him in due time unto the Parish, where the person so returned shall receive the full fruits of the Benefice or Vicaridge, and do the duty of the Parson or Vicar, for the space of one year, as Probationer; and the space of one year being expired, the Congregation of the Elders shall put their Probationer to the Ballot; and if he attain not unto two parts in three of the Suffrage affirmative, he shall take his leave of the Parish, and they shall send in like manner for another Probationer: but if their Probationer attain unto two parts in three of the Suffrage affirmative, he is the Pastor of that Parish. And the Pastour of the Parish shall pray with the Congregation, preach the Word, and administer the Sacraments unto the same, according unto the Directory to be hereafter appointed by the Parliament. Nevertheless such as are of gather'd Congregations, or from time to time shall joyn with any of them, are in no wise obliged to this way of Electing their Teachers, or to give their Votes in this Case, but wholly left unto the liberty of their Conscience, and unto that way of worship which they shall chuse, being not Popish, Jewish, nor Idolatrous and to the end that they may be the better protected by the State in the Free Exercise of the same, they are desired to make choyce in such manner as they best like, of certain Magistrates in every one of their Congregations, which we could wish might be Four in each of them, to be Auditors in Cases of differences, or distaste if any through variety of opinions, that may be grievous, or injurious unto them, should fall out. And such Auditors or Magistrates shall have power to examine the matter and inform themselves, to the end that if they think it of sufficient weight, they may acquaint the Phylarch, or introduce it into the Council of Religion; where all such Causes as such Magistrates shall introduce, shall from time to time be heard and determined according unto such Lawes as are or shall hereafter be provided by the Parliament for the just defence of the Liberty of Conscience.

This Order consisteth of three parts, the first restoring the power of Ordination unto the people, which that it originally appertaineth unto them, is clear (though not in English, yet) in Scripture, where the Apostles *ordained Elders by the holding up of hands in every Congregation*, that is, by the suffrage

Act. 14. 23.

of

of the people which was alſo given in ſome of thoſe Cities by the Ballot; and though it may be ſhewn that the Apoſtles ordained ſome by the Laying on of hands, it will not be ſhewen that they did ſo in every congregation.

Excommunication as not clearly proveable out of Scripture being omitted. The ſecond part of the order implyes and eſtabliſheth a nationall Religion; for there be degrees of knowledge in Divine things, true Religion is not to be attained unto without ſearching the Scriptures; the Scripture cannot be ſearched by us unleſſe we have them to ſearch; and if we have nothing elſe or (which is all one) underſtand nothing elſe but a tranſlation we may be (as in the place alleadged, we have been) beguiled or miſled by the tranſlation, while we ſhould be ſearching the true ſence of the Scripture, which cannot be attained unto in a naturall way (and a *Common-wealth* is not to preſume upon that which is ſupernaturall) but by the knowledge of the originall, and of Antiquity acquired by our own ſtudies, or thoſe of ſome other, for even *Faith cometh by hearing*. Wherefore a *Common-wealth* not making proviſion of men from time to time, knowing in the originall languages wherein the Scriptures were written and verſed in thoſe Antiquities whereunto they ſo frequently relate, that the true ſenſe of them dependeth in a great part upon that knowledge, can never be ſecure that ſhe ſhall not loſe the Scripture, and by conſequence her Religion, which to preſerve ſhe muſt inſtitute ſome method of this knowledge, and ſome uſe of ſuch as have acquired it, which amounteth unto a Nationall Religion.

The *Common-wealth* having thus performed her duty towards God, as a rational Creature by the beſt Application of her reaſon unto Scripture, for the preſervation of Religion in the purity of the ſame, yet pretendeth not unto infallibility, but comes in the third part of the order, eſtabliſhing Liberty of Conſcience according to the inſtructions given unto her Councell of *Religion*, to raiſe up her hands to Heaven, for further light, in which proceeding ſhe followeth that (as was ſhewen in the preliminaries) of *Iſrael* who though her Nationall Religion were evermore a part of her Civil Law gave unto her Prophets the upper hand of all her Orders.

But the Surveyours having now done with the Pariſhes, tooke their Leaves ſo, *A pariſh is the firſt diviſion of Land occaſioned by the firſt Collection of the people of* Oceana, *whoſe function proper unto that place is compriſed in the ſix foregoing Orders.* *Definition of a Pariſh.*

The next ſtep in the progreſſe of the ſurveyours was to a meeting of the neereſt of them, as their work lay, by twenties where conferring their liſts and computing the Deputies contained therein, as the number of them in Pariſhes, being neer- *Inſtitution of the Hundred*

eſt neighbours, amounted unto one hundred, or as eaven as might conveniently be brought with that account, they caſt them and thoſe Pariſhes into the precinct which (be the Deputies ever ſince more or fewer) is ſtill called the *hundred* and unto every one of theſe Precincts they appointed a certaine place being the moſt convenient Towne within the ſame for the Annuall *Randezvouz*: which done, each Surveyour returning unto his hundred and ſummoning the Deputies contained in his liſts unto the Randezvouz, they appeared and received,

7. *Ord.* The Seventh Order, requiring, That upon the firſt Munday next enſuing the laſt of January, the Deputies of every Pariſh Annually aſſemble in Arms at the Randevouz of the Hundred, and there Elect out of their number one Juſtice of the Peace, one Jury-man, one Captain one Enſign of their Troop or Century, each of theſe out of the Horſe; and one Jury-man, one Crowner, one High Conſtable out of the Foot; the Election to be made by the Ballot in this manner the Jury-men for the time being are to be Overſeers of the Ballot, (inſtead of theſe, the Surveyors are to officiate at the firſt Aſſembly) and to look unto the performance of the ſame according to what was directed in the Ballot of the Pariſhes, ſave that the High Conſtable ſetting forth the Urn, ſhall have five ſeverall ſuites of gold-Balls, and one Dozen of every ſuite, whereof the firſt ſhall be marked with the letter A. the ſecond with the letter B. the third with C. the fourth with D. and the fifth with E. And of each of theſe ſuits he ſhall caſt one Ball into his hat, or into a little Urn, and ſhaking the Balls together preſent them unto the firſt Overſeer, who ſhall draw one, and the ſuit which is ſo drawn by the Overſeer ſhall be of uſe for that day, and none other: for Example, if the Overſeer drew an A. the High Conſtable ſhall put ſeven gold-Balls marked with the letter A. into the Urn, with ſo many ſilver ones as ſhall bring them eaven with the number of the Deputies, who being ſworn as before, at the Ballot of the Pariſh to make a fair Election, ſhall be called unto the Urn; and every man coming in manner as was there ſhewed, ſhall Draw one Ball, which if it be ſilver, he ſhall caſt it into a Bowl ſtanding at the foot of the Urn, and return unto his place; but the firſt that draweth a gold Ball (ſhewing it unto the Overſeers who if it have not the letter of the preſent Ballot hath power to apprehend and puniſh him), is the firſt Elector: the ſecond the ſecond Elector, and ſo to the ſeventh, which Order they are to obſerve in their function. The Electors as they are drawn ſhall be placed upon the Bench by the Over-

Overſeers, till the whole number be Compleat, and then be Conduced with the Liſt of the Officers to be choſen, into a place apart, where being private, the firſt Elector ſhall name a perſon unto the firſt office in the Liſt; and if the perſon ſo named being Ballotted by the reſt of the Electors, attain not unto the better half of the Suffrages in the affirmative, the firſt Elector ſhall continue nominating others, until one of them ſo nominated by him attain unto the plurality of the Suffrages in the affirmative, and be written firſt Competitor to the firſt office. This done, the ſecond Elector ſhall obſerve in his turn the like order; and ſo the reſt of the Electors naming Competitors each unto his reſpective office in the Liſt, till one Competitor be choſen unto every office: and when one Competitor is choſen unto every office, the firſt Elector ſhall begin again to name a ſecond competitor unto the firſt office, and the reſt ſucceſſively ſhall name unto the reſt of the Offices till two Competitors be choſen unto every office; the like ſhall be repeated till three Competitors be choſen to every office: And when three Competitors be choſen to every office, the Liſt ſhall be returned unto the Overſeers, or ſuch as the Overſeers, in caſe they or either of them happened, be Electors, have ſubſtituted in his or their place or places: and the Overſeers or Subſtitutes having cauſed the Liſt to be read unto the Congregation, ſhall put the Competitors in order as they are written, unto the Ballot of the Congregation; and the reſt of the proceedings being carried on in the manner directed in the Fifth Order, that Competitor of the three written unto each office, who hath moſt of the Suffrages above half in the affirmative, is the Officer. The Liſt being after this manner Compleated, ſhall be entred into a Regiſter, to be kept at the Randevous of the Hundred, under inſpection of the Magiſtrates of the ſame, after this manner:

Anno Domini.

The List of the Nebulosa.

A.A.	ord. eq. Justice of the peace	of the Hundred of —— in the Tribe of —— which Hundred consisteth at this Election of 105 Deputies.
B. B.	ord. eq. First Jury-man	
C.C.	ord. eq. Captain of the Hundred	
D.D.	ord. eq. Ensign	
E. E.	Second Jury-man	
F. F.	High Constable	
G.G.	Crowner	

The List being entred, the High Constable shall take three Copies of the same, whereof he shall forthwith Return one unto the Lord high Sheriffe of the Tribe; a second unto the Lord Custos Rotulorum, and a third unto the Censors (or these through the want of such Magistrates at the first muster, may be returned unto the Orator, to be appointed for that Tribe.) To the observation of all and every part of this Order, the Officers and Deputies of the Hundred are all and every of them obliged, as they will Answer it to the Phylarch, who hath power in case of failure in the whole or any part, to Fine all or any of them so failing at discretion, or according unto such Lawes as shall hereafter be provided in that Case; but under an Appeal unto the Parliament.

There is little in this order worthy of any further account; then that it answers unto the rulers of hundreds in *Israel*, to the Mora or Military part of the Tribe in *Lacedemon*, and to the Century in *Rome*. The Jury-men, being two in a hundred, and so forty in a Tribe, give the Latitude allowed by the Law for exceptions. And whereas the gold-balls at this Ballot begin to be marked with Letters, whereof one is to be drawn immediately before it begin: This is to the end that the letter being unknown, men may be frustrated of Tricks, or foul play. Whereas otherwise a man might bring a gold ball with him and make as if he had drawn it out of the Urn. The Surveyors when they had taken Copies of these lists, had accomplished their worke in the Hundreds.

Definition of the Hundred

So, *An Hundred is the second division of Land occasioned by the second Collection of the people, whose Civill and Military functions proper unto*

unto this place are comprised in the foregoing order. Having stated the hundreds, they met once againe by twenties, where there was nothing more easy then to cast every twenty hundreds, as they lay most conveniently together into one Tribe, so the whole Territory of *Oceana*, consisting of about ten thousand Parishes, came to be cast into one thousand hundreds, and into fifty tribes. In every Tribe at the place appointed for the Annuall Randevouze of the same, were then, or soone after, put in hand, those buildings which are now called *Pavilions*, each of them standing with one open side, upon fair Columnes like the porch of some ancient Temple, and looking into a field, capable of the muster of some foure-thousand men: before each Pavilion, stand three pillars sustaining urnes for the Ballot, that on the right hand equall in height to the brow of an Horse-man, being called the *Horse urn*, that on the left hand, with Bridges on either side to bring it Equall in height with the brow of a foot-man, being called the *Foot-urn*; and *the middle urne*, with a bridge on the side towards the Foot-urn, the other side, as left for the horse, being without one: and here ended the whole worke of the *Surveyours* who returned unto the *Lord Archon* with this

Institution of the Tribe.

of the Pavilion.

Accompt of the Charge.

	l.	s.	
Imprimis, Urns, Balls, and Ballotting Boxes for ten thousand Parishes, the same being woodden ware,	20000.	0	*The whole Charge of the Institution.*
Item, Provisions of like kind for a thousand Hundreds	3000	0	
Item, Urns and Balls of Metall, with Ballotting Boxes for Fifty Tribes	2000	0	
Item, for erecting of Fifty Pavilions,	60000	0	
Item, Wages for Four Surveyors General at 1000 l. a man	4000	0	
Item, Wages for the rest of the Surveyors, being 1000, at 250 l. a man	250000	0	
Sum Totall,	**339000**	**0**	

No great matter of charge for the building of a *Commonwealth*, in regard that it hath cost (which was pleaded by the Surveyors)

Surveyors) as much to rigg a few ships, nevertheleſſe that proveth not them to be honeſt, nor their accompt to be juſt; but they had their money for once, though their reckoning be plainly guilty of a Crime, to coſt him his neck that Commits it another time; it being impoſſible for a *Common-wealth*, without an exact proviſion, that ſhe be not abuſed in this kind, to ſubſiſt, if it were not in regard of the charge (though that may goe deepe) yet in regard of the debauchery and corruption; whereunto, by negligence in her accounts, ſhe infallibly expoſeth her Citizens, and thereby ſlaketh the publique Faith; which is the Nerve and ligament of Government. But the Surveyors being diſpatched, the Lord *Archon* was very curious in giving names unto his Tribes, which having cauſed to be written in ſcroles caſt unto an urne, and preſented unto the Councellours, each of them drew one, and was accordingly ſent unto the Tribe in his Lot, as Orators of the ſame, a magiſtracy no otherwiſe inſtituted, then for once and *Protempore*, to the end that the Councill upon ſo great an occaſion might both Congratulate with the Tribes, and aſſiſt at the firſt muſter in ſome things of neceſſity to be differently carried from the eſtabliſhed adminiſtration and future courſe of the *Common-wealth*.

The Orators being arrived, every one as ſoone as might be, at the Randevouze of his Tribe, gave notice to the hundreds, and ſummoned the muſter, which appeared for the moſt part upon good horſes, and already indifferently well Armed; as to inſtance in one for all, the Tribe of *Nubia* where *Hermes de Caducea*, Lord Orator of the ſame, after a ſhort ſalutation and an hearty welcome, applyed himſelf unto his buſineſſe, which began with

8. *Ord.* **The Eighth Order; requiring, That the Lord High Sheriffe as Commander in Chief, and the Lord Custos Rotulorum as Muſter-maſter of the Tribe, (or the Orator for the firſt Muſter) upon Reception of the Liſts of their Hundreds, returned unto them by the High Conſtables of the ſame, forthwith cauſe them to be caſt up, dividing the Horſe from the Foot, and liſting the Horſe by their names in Troops, each Troop containing about a hundred in number, to be inſcribed firſt, ſecond, or third Troop, &c. according to the Order Agreed upon by the ſaid Magiſtrates: which done, they ſhall liſt the Foot in like manner, and inſcribe the Companies in like order. Theſe Liſts upon the Eve of the Muſter ſhall be delivered unto certain Trumpetors and Drummers, whereof there ſhall be Fifteen of each ſort (as well for the preſent as other uſes to be hereafter mentioned) ſtipendiated,**

dated by the Tribe: and the Trumpeters and Drummers shall be in the Field before the Pavilion, upon the day of the muster, so soon as it is light, where they shall stand every one with his List in his hand, at a due distance, placed according unto the order of the List; the Trumpeters with the Lists of the Horse on the right hand, and the Drummers with the lists of the Foot on the left hand: where having sounded a while, each of them shall begin to call, and continue calling the names of the Deputies, as they come into the Field, till both the Horse and Foot be gathered by that means into their due order. The Horse and Foot being in order, the Lord Lieutenant of the Tribe shall cast so many Gold Balls marked with the figures 1. 2. 3. 4. &c. as there be Troops of Horse in the Field, together with so many Silver Balls as there be Companies, marked in the same manner, into a little Urn, whereunto he shall call the Captains; and the Captains drawing the Gold Balls shall command the Horse; and those that draw the Silver the Foot, each in the order of his Lot. The like shall be done by the Conductor at the same time for the Ensigns, at another Urn; and they that draw the Gold Balls shall be Cornets, the rest Ensigns.

This order may Trash the reader, but tends unto a wonderfull speed of the Muster, to which it would be a great matter, to lose a day in ranging and martialling, whereas by vertue of this the Tribe is no sooner in the feild then in Battalia, nor sooner in Battalia then called unto the Urns or the Ballot by vertue of

The Ninth Order; whereby the Censors (or the Orator for the first Muster) upon Reception of the Lists of the Hundreds from the High Constables, according as is directed by the Seventh Order, are to make their notes for the Urns before-hand, with regard had unto the Lists of the Magistrates, to be elected by the ensuing Orders; that is to say, by the first List called the Prime Magnitude, six; and by the second called the Gallary, nine. Wherefore the Censors are to put into the middle Urn for the Election of the first List twenty four Gold Balls, with twenty six blanks or silver Balls, in all sixty; and into the side Urns sixty gold-balls divided unto each according unto the different number of the Horse and the Foot; that is to say, if the Horse and the Foot be equall, equally; and if the Horse and the Foot be unequall, unequally, by an Arithmeticall proportion: The like shall be done the second day of the Muster, for the second List, save that *9. Ord.*

that the Cenſors ſhall put into the middle Urn 36. Gold-Balls with 24. Blanks, in all ſixty; and ſixty Gold-Balls into the ſide Urns, divided reſpectively unto the number of the Horſe and the Foot: and the gold-Balls in the ſide Urns at either Ballot are by the addition of Blanks to be brought even with the number of the Ballottants at either Urn reſpectively. The Cenſors having prepared their Notes, as hath been ſhewn, and being come at the day into the Field, ſhall preſent a Little Urn unto the Lord High Sheriff, who is to draw twice for the Letters to be uſed that day, the one at the ſide Urns, and the other at the middle. And the Cenſors having fitted the Urns accordingly, ſhall place themſelves in certain moveable Seats or Pulpits, (to be kept for that uſe in the Pavilion) the firſt Cenſor before the Horſe Urn, the ſecond before the Foot Urn, the Lord Lieutenant doing the office of Cenſor pro tempore at the middle Urn; where all and every one of them ſhall cauſe the Lawes of the Ballot to be diligently obſerved, taking a ſpeciall care, that no man be ſuffered to come above once unto the Urn (whereof it more particularly concerns the Sub-Cenſors, that is to ſay, the Overſeers of every Pariſh, to be carefull, they being each in this regard reſponſible for their reſpective Pariſhes), or to draw above one Ball, which if it be Gold, he is to preſent unto the Cenſor, who ſhall look upon the Letter; and if it be not that of the Day, and of the reſpective Urn, apprehend the party, who for this or any other like diſorder, is obnoxious unto the Phylarch.

This order being obſerved by the Cenſors it is not poſſible for the People, if they can but draw the Balls, though they underſtand nothing at all of the Ballot to be out. To Philoſophize further upon this Art, though there be nothing more rationall, were not worth the while, becauſe in writing it will be perplext, and the firſt practiſe of it gives the demonſtration, whence it came to paſſe, that the Orators after ſome needleſſe paines in the explanation of the two foregoing Orders, betaking himſelfe to exemplify the ſame, found the work done unto his hand; for the Tribe as eager upon a buſineſſe of this nature, had retained one of the Surveyors, out of whom (before the Orator arrived) they had gotten the whole myſtery by a ſtolen muſter, at which in order unto the Ballot, they had made certaine Magiſtrates *pro tempore*, wherefore he found not onely the Pavilion, (for this time a Tent) erected with three poſts ſupplying the place of Pillars unto the urnes, but the urnes, being prepared with a juſt number of Balls for the firſt

first Ballot, to become the field, and the occasion very gallantly, with their covers made in the manner of Helmets, open at either Eare to give passage unto the Hands of the Ballottants, and planting with noble Plumes to direct the March of the people; wherefore he proceeded to

10. *Ord.* The Tenth Order, requiring of the Deputies of the Parishes, That upon every Munday next ensuing the last of February, they make their personall appearance, Horse and Foot in Arms accordingly, at the Randevouz of the Tribe, where being in discipline the Horse upon the right, and the Foot upon the left, before the Pavilion; and having made Oath by holding up their hands, upon the tender of it by the Lord High Sheriffe, to make Election without favour, and of such onely as they shall judge fittest for the Common-wealth; the Conductor shall take 3. Balls, the one inscribed with these words [outward files,] another with these words [inward files,] and the third with these [middle files;] which Balls he shall cast into a little Urn, and present it to the Lord high Sheriff, who drawing one, shall give the words of Command, as they are thereupon inscribed, and the Ballot shall begin accordingly: For example, if the Ball be inscribed middle-files, the Ballot shall begin by the middle; that is, the two files that are middle to the Horse, shall draw out first to the Horse Urn, and the two files that are middle to the Foot, shall draw out first to the Foot Urn, and be followed by all the rest of the Files as they are next unto them in order. The like shall be done by the inward, or by the outward Files, in case they be first called. And the Files, as every man hath drawn his Ball, if it be silver, shall begin at the Urn to Countermarch unto their places; but he that hath drawn a gold-Ball at a side Urn, shall proceed unto the middle Urn; where if the Ball he draweth be silver, he also shall Countermarch; But if it be gold, he shall take his place upon a form set crosse the Pavilion, with his face toward the Lord High Sheriff, who shall be seated in the middle of the Pavilion, with certain Clerks by him, one of which shall write down the names of every Elector, that is, of every one that drew a gold-Ball at the middle Urn, and in the Order, his Ball was drawn; till the Electors amount unto six in number; and the first six Electors Horse and Foot promiscuously, are the first order of Electors; the second six (still accompting them as they are drawn) the second Order; the third six, the third Order; and the fourth six, the fourth Order of Electors: every Elector having place in his order, according unto the

order wherein he was drawn: But so soon as the first order of Electors is compleat, the Lord High Sheriff shall send them with a Copy of the following List, and a Clerk that understands the Ballot, forthwith unto a little Tent standing before the Pavilion, in his eye, whereunto no other person but themselves during the Election shall approach: the List shall be written in this manner:

ANNO DOMINI,

The List of the prime Magnitude or first dayes Election of Magistrates.

Institution of the Prime Magnitude.

1. The Lord High Sheriff, Commander in Chief
2. Lord Lievtenant
3. Lord Custos Rotullorum, Master-master-Generall
4. The Conductor, being Quartermaster-Generall
5. The first Censor
6. The second Censor

} of the Tribe of Nubia, containing at this present Muster, 700 Horse, and 1500 Foot, in all 2200 Deputies.

And the Electors of the first hand or order being six, shall each of them name unto his respective Magistracy in the left, such as are not already elected in the Hundreds, till one Competitor be chosen unto every Magistracy in the List by the Ballot of the Electors of the first Order; which done, the List with the Competitors thereunto annexed shall be returned unto the Lord High Sheriff, by the Clerk attending that order, but the Electors shall keep their places, for they have already given their Suffrage, and may not enter into the Ballot of Tribe. If there arise any dispute in an order of Electors, one of the Censors or sub-Censors appointed by them, in case they be Electors, shall enter into the Tent of that Order; and that Order shall stand unto his Judgment in the decision of the Controversie. The like shall be done exactly by each other, order of Electors, being sent as they are drawn; each with another Copy of the same List, into a distinct Tent, till there be returned unto the Lord High Sheriff four Competitors unto every Magistracy in the List; that is to say,

One

One Competitor Elected unto every office in every one of the four Orders; which Competitors the Lord High Sheriff shall cause to be pronounced or read by a Cryer unto the Congregation, and the Congregation having heard the whole Lists repeated, the names shall be put by the Lord High Sheriff unto the Tribe, one by one, beginning with the first Competitor in the first Order, thence proceeding to the first Competitor in the second Order, and so to the first in the third and fourth Orders: and the Suffrages being taken in boxes by boyes as hath been already shewn) shall be poured into the Bowles standing before the Censors, who shall be seated at each end of the Table in the Pavilion, the one numbring the Affirmatives, and the other the Negative; and he, of the four Competitors to the first Magistracy, that hath most above half the Suffrages of the Tribe in the Affirmative, is the first Magistrate; The like is to be done successively by the rest of the Competitors in their order. But because soon after the Boxes are sent out for the first name, there be others sent out for the second, and so for the third, &c. by which means divers names are successively at one and the same time in balotting; the Boy that carries a Box shall sing or repeat Continually the name of the Competitor for whom that Box is carrying, with that also of the Magistracy unto which he is proposed. A Magistrate of the Tribe happening to be an Elector, may substitute any one of his own Order to execute his other Function: the Magistrates of the Prime Magnitude being thus elected, shall receive the present charge of the Tribe.

If it be objected against this order, that the Magistrates to be elected by it, will be men of more inferior rank then those of the hundreds, in regard that those are chosen first; It may be remembred, that so were the Burgesses in the former Government, nevertheless the Knights of the Shire were men of greater quality: And the election at the Hundred is made by a Councel of Electors, of whom less cannot be expected then the discretion of naming persons fittest for those capacities, with an eye upon these to be elected at the Tribe. For what may be objected in the point of difficulty, it is demonstrable by the foregoing orders, that a man might bring ten thousand men (if there were occasion) with as much ease, and as suddainly to performe the ballot, as he can make five thousand men (drawing them out by double files) to march a quarter of a mile: but because at this Ballot, to go up and down the field, distributing the Linnen pellets unto every Man, with which he is to ballot or give suffrage would lose a great deale of time, there-

fore a Mans wife, his daughters or others make him his provision of pellets before the ballot; and he cometh into the field with a matter of a score of them in his pocket. And now I have as good as done with the sport. The next is,

11. *Ord.* Functions of the Magistrates of the Prime Magnitude.

The Eleventh Order, Explaining the duties and Functions of the Magistrates, contained in the List of the prime Magnitude: And those of the Hundreds, beginning with the Lord High Sheriff, who over and above his more ancient Offices and those added by the former Order is the first Magistrate of the Phylarch, or prerogative Troop: the Lord Lieutenant over and above his Duty mentioned, is Commander in Chief of the musters of the Youth, and second Magistrate of the Phylarch; the Custos Rotulorum is to return the yearly Muster-Rolles of the Tribe, as well that of the Youth as of the Elders unto the Rolls in Emporium, and is the third Magistrate of the Phylarch: the Censors by themselves, and their sub-Censors, that is, the Overseers of the Parishes, are to see that the respective Lawes of the Ballot be observed in all the popular Assemblies of the Tribe: they have power also to put such Nationall Ministers, as in preaching shall intermeddle with the matter of Government, out of their livings; Except the party appeal unto the Phylarch, or unto the Council of Religion, where in that case the Censors shall prosecute All and every one of these Magistrates, together with the Justices of Peace: and the Jury-men of the Hundreds, amounting in the whole number unto three score and six, are the Prerogative Troop or Phylarch of the Tribe.

1. Functions of the *Phylarch.*

The function of the Phylarch or Prerogative Troop is five-fold; First, they are the Council of the Tribe, and as such to Govern the Musters of the same according to the foregoing Orders, having Cognizance of what hath passed in the Congregations, or Elections made in the Parishes or the Hundreds, with power to punish any undue practises or variation from their respective Rules and Orders, under an Appeal to the Parliament. A marriage legitimately is to be pronounced by the Parochiall Congregation, the Muster of the Hundred, or the Phylarch; and if a Tribe have a desire (which they are to express at the Muster by their Captains, every Troop by his own) to petition the Parliament, the Phylarch as the Counsell shall frame the Petition in the Pavilion, and propose it by Clauses, unto the Ballot of the whole Tribe, and the Clauses that shall be affirmed by the Ballot

lot of the Tribe; and be signed by the hands of the six Magistrates of the Prime Magnitude, shall be received and esteemed by the Parliament as the Petition of the Tribe, and no other.

Secondly, the Phylarch hath power to call unto their assistance what other Troops of the Tribe they please (be they Elders or Youth, whose discipline will be hereafter directed) and with these to receive the Judges Itinerant in their Circuits, whom the Magistrates of the Phylarch shall assist upon the Bench, and the Juries elsewhere in their proper Functions according unto the more Ancient Lawes and Customs of this Nation. 2.

Thirdly, the Phylarch shall hold the Court called the Quarter-Sessions according unto the Ancient Custom, and therein shall also hear Causes in order unto the Protection of Liberty of Conscience, by such Rules as are or shall hereafter be appointed by the Parliament. 3.

Fourthly, all Commissions, issued into the Tribes by the Parliament, or by the Chancery, are to be directed unto the Phylarch, or some of that Troop, and executed by the same respectively. 4.

Fifthly, In the Case of Levies of money the Parliament shall tax the Phylarchs, the Phylarchs shall tax the Hundreds, the Hundreds the Parishes, and the Parishes shall Levy it upon themselves: the Parishes having Levied the Tax money, accordingly shall return it unto the Officers of the Hundreds, the Hundreds unto the Phylarchs, and the Phylarchs unto the Exchequer: but if a man have ten Children living, he shall pay no taxes; if he have five living, he shall pay but half Taxes; if he have been Married three years, or be above twenty five years of age, and have no Child or Children Lawfully begotten, he shall pay double taxes: and if there happen to grow any dispute upon these or such other Orders as shall or may hereunto be added hereafter, the Phylarch shall judge the Tribes, and the Parliament shall judge the Phylarchs; for the rest, if any man shall go about to introduce the right or power of debate into any Popular Council or Congregation of this Nation, the Phylarch or any Magistrate of the Hundred or of the Tribe, shall cause him forthwith to be sent in Custody unto the Council of War. 5.

The part of the Order relating unto the Rolls in *Emporium*, being of singular use, is not unworthy to be somewhat better opened; *of* Nilus. *Institution of the Roll called the Pillar*

opened; In what manner the lists of the Parishes, Hundreds and Tribes are made, hath been shewen in their respective orders, where after the parties elected, they give account of the whole number of the Elders or Deputies in their respective assemblies or musters; the like for this part exactly, is done by the youth in their discipline (to be hereafter shewen): wherefore the lists of the Parishes Youth and Elders being summed up, give the whole number of the people able to beare Armes; and the lists of the Tribes Youth and Elders being summed up, give the whole number of the people, bearing Armes. This account being annually recorded by the Master of the Rolls is called the Pillar of Nilus, because the people being the riches of the Common-wealth, as they are found to rise or fall by the degrees of this Pillar like that River, give account of the publique Harvest.

Thus much for the description of the first daies work at the Muster, which happened, as hath been shewen, to be done as soone as said: for as in practise it is of small dificulty, so requires it not much time, seeing the great *Councill of Venice* consisting of a like number, begins at 12. of the Clock, and Elects nine Magistrates in one afternoon: But the Tribe being dismissed for this night, repaired unto their quarters, under the conduct of their new Magistrates. The next morning returning into the field very early, the Orator proceeded to

12. *Ord.* Institution of the *Gallaxy.*

The Twelfth Order; directing the Master of the Tribe in the second dayes Election, being that of the List called the Gallaxy; **in which the Censors shall prepare the Urns according to the directions given in the Ninth Order for the second Ballot, that is to say, with 36. gold-Balls in the middle Urn, making four Orders, and nine Electors in every Order according unto the number of the Magistrates in the List of the Gallaxy, which is as followeth:**

1. Knight,
2. Knight } To be chosen out of the Horse.

3. Deputy
4. Deputy } To be chosen out of the Horse.
5. Deputy

6. Deputy
7. Deputy
8. Deputy } To be chosen out of the Foot.
9. Deputy

The

The reſt of the Ballot ſhall proceed Exactly according unto that of the firſt day: But for as much as the Common-wealth Demandeth as well the Fruits of a mans body as of his mind, he that hath not been married ſhall not be Capable of theſe Magiſtracies untill he be married; if a Deputy already choſen to be an Officer in the Parish in the Hundred or in the Tribe, be afterwards choſen of the Gallary, it ſhall be lawfull for him to Delegate his Office in the Parish, in the Hundred, or in the Tribe, unto any one of his own order, being not already choſen into office. The Knights and Deputies being choſen, ſhall be brought unto the head of the Tribe by the Lord High Sheriff, who ſhall adminiſter unto them this Oath, [Ye ſhall well and truly obſerve and keep the Orders and Cuſtoms of this Common-wealth which the People have Choſen.] And if any of them ſhall refuſe the Oath, he ſhall be rejected; and that Competitor which had the moſt voices next ſhall be called in his place; who if he take the Oath, ſhall be entred in the Liſt; But if he alſo refuſe the Oath, he who had moſt voices next ſhall be called, and ſo untill the number of nine out of thoſe Competitors which had moſt voices be ſworn Knights and Deputies of the Gallaxy: (This Clauſe, in regard of the late diviſions, and to the end that no violence be offered unto any mans Conſcience, to be of force but for the firſt three years only:) The Knights of the Gallary being elected and ſworn are to repair by the Munday next enſuing the laſt of March unto the Pantheon or Pallace of Juſtice ſcituate in the Metropolis of this Common-wealth, (except the Parliament through Sickneſſe, or ſome other occaſion, have adjourned unto ſome other part of the Nation) where they are to take their Places in the Senate, and continue in full Power and Commiſſion as Senators for the full term of three years next enſuing the date of their Election. The Deputies of the Gallary are to repair by the ſame day (except as before excepted) unto the Hall ſituated in Emporium, where they are to be liſted of the Prerogative Tribe or equall Repreſentative of the people; and to continue in full power and Commiſſion as their Deputies for the full term of three years, next enſuing their Election. But for as much as the term of every Magiſtracy, or office in this Common-wealth requireth an equall vacation, a Knight, a Deputy of the Gallary having fulfilled his term of three years, ſhall not be re-elected unto the ſame or any other Tribe, till he have alſo fulfilled his three years vacation.

Who

Who ever ſhall rightly conſider the foregoing orders, will be as little able to find how it is poſſible, that a worſhipfull Knight ſhould declare himſelfe in Ale and Bieſe, worthy to ſerve his Country, as how my Lord High Sheriff's honour, in caſe he were protected from the Law, could play the Knave. But though the forgoing Orders ſo far as they reguard the conſtitution of the Senate and the people, requireing no more as to an ordinary election then is therein explained, that is but one third part of their Knights and Deputies, are perfect; yet muſt wee in this place, and as to the Inſtitution, of neceſſity erect a ſcaffold: For the Common-wealth to the firſt Creation of her Councills in full number, required thrice as many as are eligible by the foregoing Orders; wherefore the Gratour whoſe ayd in this place was moſt neceſſary, rightly informing the people of the reaſon, ſtaid them two daies longer at the Muſter, and tooke this courſe. One liſt containing two Knights and ſeven Deputies, he cauſed to be choſen upon the ſecond day, which liſt being called the firſt Gallaxy, qualified the parties elected of it, with power for the Terme of one yeare and no longer; another liſt containing two Knights and ſeven Deputies more, he cauſed to be choſen the third day, which liſt being called the ſecond Gallaxy, qualified the parties elected of it with power, for the terme of two yeares and no longer. And upon the fourth day he choſe the third Gallaxy according as it is directed by the Order, impowered for three yeares, which Liſts ſucceſſively falling (like the ſignes or conſtellations of one Hemiſphere, that ſetting cauſe thoſe of the other to riſe) caſt the great Orbs of this *Common-wealth* into an Annuall Trienial and Perpetual Revolution.

The buſineſſe of the Muſter being thus happily finiſht, *Hermes de Caduceo*, Lord Orator of the Tribe of *Nubia*, being now put into her firſt Rapture, cauſed one of the cenſors Pulpits to be planted in front of the ſquadron, and aſcending into the ſame, ſpake after this manner:

My

My Lords the Magiſtrates, and the People of the Tribe of *NUBIA*,

WE have this day ſolemnized the happy Nuptialls of the two greateſt Princes that are upon the Earth, or in Nature; Arms *and* Councills: *in the Mutual Embraces whereof conſiſteth your whole* Common-wealth: *whoſe Councills upon their perpetuall Wheelings, Marches, and Counter-marches, create her Armies; and whoſe Armies with the golden Vollies of the Ballot, at once create and Salute her Councills. There be (ſuch is the World now adaies) that think it ridiculous to ſee a* Nation *exerciſing her Civill functions in military Diſcipline; while they committing their Buffe unto their Servants, come themſelves to hold Trenchards: For what availeth it ſuch as are unarmed, (or, which is all one, whoſe Education acquainteth them not with the proper uſe of their Swords) to be called Citizens? What were two or three thouſand of you, well affected to your Country, but naked, unto one Troop of Mercenary Souldiers? If they ſhould*

come upon the Field and ſay, Gentlemen, *It is thought fit that ſuch and ſuch men ſhould be choſen by you; where were your Liberty? Or,* Gentlemen, *Parliaments are exceeding good, but you are to have a little patience, theſe Times are not ſo fit for them; where were your* Common-wealth? *What cauſeth the* Monarchy *of the* Turks *but Servants in Arms? What was it that begot the glorious Common-wealth of* Rome, *but the Sword in the hands of her Citizens? wherefore my glad Eyes ſalute the Serenity and brightneſſe of this day with a ſhowr that ſhall not cloud it. Behold, the* Army *of* Iſrael *become a* Common-wealth, *and the* Common-wealth *of* Iſrael *remaining an* Army! *with her Rulers of Tens and of Fifties, her Rulers of Hundreds, and her Rulers of Thouſands, drawing near, (as this day throughout our happy Fields) unto the Lot by her Tribes, encreaſed above threefold, and led up by her* Phylarchs, *or* Princes, *to ſit* (Sellis Curulibus) *upon Fifty Thrones, judging the Fifty Tribes of* Oceana. *Or, Is it* Athens, *breaking from her Iron Sepulchre; where ſhe hath been ſo long Trampled upon by Hoſts of* Janizaries? *For certainly that*

that (nec vox hominem ſonat) *is the voice of* Theſeus, *having gathered his ſcattered* Athenians *into one City.*

—Hæc juris ſui
Parere Domino Civitas vni negat:
Rex ipſe Populus annuas mandat
Honorishuic, illive. — (vices

This Free-born Nation liveth not upon the Dole or Bounty of one Man, but diſtributing her Annuall Magiſtracies and Honours with her own hand, is her ſelf King People — (At which the Orator was a while interrupted with ſhouts, but at length proceeded) — *Is it grave* Lacedemon *in her Armed Tribe divided by her* Obæ *and her* Mora, *which appears to chide me that I teach the people to talk, or conceive ſuch Language as is dreſt like a woman, to be a fit Uſher of the Foyes of Liberty into the hearts of men? Is it* Rome *in her Victorious Arms* (*for ſo ſhe held her* Concio *or Congregation*) *that Congratulateth with us, for finding out that which ſhe could not hit on, and binding up her* Comitia Curiata, Centuriata, *and* Tributa *in one inviolable League of Union? Or is it the Great*

Councill of incomparable Venice, *bowling forth by the ſelf-ſame Ballot her immortall Common-wealth? For, neither by Reaſon nor by her Experience is it impoſſible that a Common-wealth ſhould be immortall; ſeeing the people being the materials never dyes, and the form which is motion muſt without oppoſition, be endleſſe: The* Bowl *which is thrown from your hand, if there be no rub, no impediment, ſhall never ceaſe: for which cauſe the glorious* Luminaries *that are the* Bowles *of* God, *were once thrown for ever; and next theſe, thoſ of* Venice. *But certainly, my* Lords, *what ever theſe great Examples may have ſhewn us, we are the firſt that have ſhewn unto the World a Common-wealth Eſtabliſhed in her riſe upon Fifty ſuch Towers, and ſo Garnizoned as are the Tribes of* Oceana, *containing one hundred thouſand Elders upon the Annuall Liſt, and yet but an out-guard; beſides her marching Armies, to be equall in the diſcipline and in the number of her Youth.*

And for as much as Soveraign powers is a neceſſary, but a formidable creature, not unlike the Powder, which (as you are Souldiers) is at once your ſafety, and your danger, being ſubject to take fire

fire againſt you as for you; how well and ſecurely is She by your Gallaxy's, *ſo collected as to be in full force and vigour, and yet ſo diſtributed, that it is impoſſible you ſhould be blown up by your own* Magazeen. *Let them who will have it, that power if ſhe be confin'd cannot be Soveraign, tell us, whether our Rivers do not enjoy a more ſecure and fruitfull raign within their proper banks, then if it were lawful for them, in raviſhing our harveſts, to ſpill themſelves? whether ſoules not confin'd unto their peculiar bodies do govern them any more, then thoſe of Witches in their Trances? Whether Power not confin'd unto the bounds of* Reaſon *and* Virtue, *have any other bounds then thoſe of* Vice *and* Paſſion? *or if* Vice *and* Paſſion *be boundleſſe, and* Reaſon *and* Virtue *have certain Limits, on which of theſe Thrones holy men ſhould anoint their Soveraign? But to blow away this duſt, The Soveraign power of a* Common-wealth *is no more bounded, that is to ſay, Streightened, then that of a* Monarch, *but is Ballanced. The Eagle mounteth not unto her proper pitch, if ſhe be bounded; nor, if ſhe be not ballanced. And leſt a* Monarch *ſhould think that he can reach farther with his Scep'er, the*

Roman

Roman *Eagle upon her Ballance ſpread her wings from the* Ocean *to* Euphrates. *Receive the Soveraign Power; you have received her; hold her faſt, embrace her for ever in your ſhining Arms: The virtue of the Loadſtone is not impaired or Limited, but receiveth ſtrength and nouriſhment by being bound in Iron. And ſo giving your Lordſhips much joy, I take my leave of this Tribe.*

The Orator deſcending, had the period of his ſpeech made with a vaſt applauſe, and exultation by the whole Tribe, attending him, for that night unto his quarter, as the *Phylarch*, with ſome commanded Troops, did the next day unto the Frontires of the Tribe, where Leave was taken on both ſides with more Teares then Grief.

Definition of the Tribe.

So, *A Tribe is the third diviſion of Land occaſioned by the third Collection of the People, whoſe functions proper unto that place are contained in the five foregoing Orders.*

The Inſtitution of the *Common-wealth* was ſuch as needed thoſe props and Scaffolds, which may have troubled the Reader, but I ſhall here take them away and come unto the Conſtitution which ſtands by it ſelfe and yeelds a clearer proſpect.

Conſtitution of the Common-wealth.

The Motions by what hath been already ſhewn, are Spherical, and ſphericall motions have their proper Center, for which cauſe, (ere I proceed further) it will be neceſſary for the better underſtanding of the whole, that I diſcover the Center whereupon the motions of this *Common-wealth* are formed.

The Center or Baſis of every Government, is no other then the Fundamentall Lawes of the ſame.

Fundamentall Lawes are ſuch as ſtate what it is that a man may call his own, that is to ſay, Proprietie; and what the meanes be whereby a man may enjoy his own, that is to ſay Protection: the firſt is alſo called Dominion, and ſecond Empire or Soveraigne power, whereof this (as hath been ſhewn) is the naturall product of the former, for ſuch as is the Ballance of of the Dominion in a Nation, ſuch as the nature of her Empire.

Wherefore the Fundamentall Lawes of *Oceana*, or the Center of this *Common-wealth* are the *Agrarian*, and the *Ballot*. The

Agrarian

Agrarian by the Ballance of dominion preſerving equalitie in the Roote, and the *Ballot* by an equall rotation conveying it into the branch, or exerciſe of Soveraigne power: as to begin with the former appeareth, by

The Thirtenth Order, Conſtituting the Agrarian Lawes of Oceana, Marpeſia and Panopea, whereby it is ordained, Firſt, for all ſuch Lands as are lying and being within the proper Tercitories of Oceana, that every man who is at preſent poſſeſſed, or ſhall hereafter be poſſeſſed of an Eſtate in Land exceeding the Revenue of two thouſand pounds a year, and having more then one Son, ſhall leave his Lands either equally divided among them, in caſe the Lands amount unto above 2000 l. a year unto each; or ſo near equally in caſe they come under, that the greater part or portion of the ſame remaining unto the eldeſt, exceed not the value of two thouſand pounds Revenue. And no man not in preſent poſſeſſion of Lands above the value of two thouſand pounds by the year, ſhall receive, enjoy, (except by Lawful Inheritance) acquire or purchaſe unto himſelf, Lands within the ſaid Territories amounting with thoſe already in his poſſeſſion, above the ſaid Revenue. And if a man have a daughter, or daughters, except ſhe be an Heir, or they be Heirs, he ſhall not leave or give unto any one of them in Marriage or otherwiſe for her portion above the value of one thouſand five hundred pounds in Lands Goods and Moneys: Nor ſhall any Friend, Kinſman, or Kinſwoman adde unto her or their Portion or Portions that are ſo provided for, to make any one of them greater: Nor ſhall any man demand, or have more in marriage, with any woman. Nevertheleſſe an Heir ſhall enjoy her Lawfull Inheritance, and a Widow whatſoever the bounty or affection of her husband ſhall bequeath unto her, to be divided in the firſt Generation, wherein it is diviſible according as hath been ſhewn. 13. *Ord.*

Secondly, for Lands lying and being within the Territories of Marpeſia, the Agrarian ſhall hold in all parts as it is eſtabliſhed in Oceana, ſave onely in the Standard, or Proportion of Eſtates in Land, which ſhall be ſet for Marpeſia at five Hundred pounds.

And thirdly, for Panopea, the Agrarian ſhall hold in all parts, as in Oceana. And whoſoever poſſeſſing above the proportion allowed by theſe Lawes, ſhall be lawfully convicted of the ſame, ſhall forfeit the overplus unto the uſe of the State.

Agrarian

Agrarian Lawes of all others have ever been the greateſt Bugbears, and ſo in the Inſtitution were theſe, at which time it was ridiculous to ſee, how ſtrange a fear appeared in every body of that which, being good for all, could hurt no body. But inſtead of the proof of this Order, I ſhall out of thoſe many debates that happened ere it could be paſt, inſert two *Speeches* that were made at the Councill of Legiſlators, the firſt by the Right Honourable *Philautus de Garbo*, a young man, being Heir apparent unto a very Noble Family, and one of the Counſellours, who expreſſed himſelf as followeth:

May it pleaſe your Highneſſe,

My Lord Archon,

OF

Oceana,

IF I did not (to my Capacity) know from how profound a Counſellor I diſſent; it would certainly be no hard task to make it as light as the day; First, that an Agrarian *is altogether unneceſſary: Secondly, that it is dangerous unto a Common-wealth: Thirdly, that it is inſufficient to keep out Monarchy: Fourthly, that it deſtroyes Families: Fifthly, that it deſtroyes Induſtry: And laſt of all, that, though it were indeed of any good uſe, it will be a matter of ſuch difficulty to introduce in this Nation, and ſo to ſettle that it may be laſting, as is altogether invincible.*

1. *First, that an Agrarian is unneceſsary unto*

unto a Common-wealth, what clearer teſtimony can there be, than, that the Common-wealths which are our Contemporaries (Venice, *whereunto your Highneſſe giveth the upper hand of all Antiquity, being one*) *have no ſuch thing? And there can be no reaſon why they have it not, ſeeing it is in the Soveraign Power at any time to eſtabliſh ſuch an Order, but that they need it not; wherefore no wonder if* Ariſtotle *who pretends to be a good Common-wealths-man, have long ſince derided* Phaleas, *to whom it was attributed by the* Greeks, *for this invention.*

Secondly, That an Agrarian *is dangerous unto a Common-wealth, is affirmed upon no ſleight Authority, ſeeing* Machiavill *is poſitive, that it was the Diſſention which happened about the Agrarian that cauſed the Deſtruction of* Rome; *Nor do I think that it did much better in* Lacedemon, *as I ſhall ſhew anon.* 2.

Thirdly, That it is inſufficient to keep out Monarchy, *cannot without impiety be denyed, the holy Scriptures bearing Witneſſe, that the Common-wealth of* Iſrael *notwithſtanding her* Agrarian, *ſubmitted her neck unto the Arbitrary Yoke of her Princes.* 3.

4. *Wherefore to come unto my Fourth Aſsertion, That it is deſtructive unto Families; this alſo is ſo apparent, that it needeth pity rather then proof. Why alas do you bind a Nobility, which no Generation ſhall deny to have been the firſt that freely ſacrificed her blood unto the ancient Liberties of this People, upan unholy Altar? VVhy are the People taught, That their Liberty, which except our noble Anceſtors had been born, muſt have long ſince been buried, cannot now be born except we be buried?. A Common-wealth ſhould have the innocence of the Dove: Let us leave this purchaſe of her birth unto the Serpent, which eateth her ſelf out of the womb of her Mother.*

5. *But it may be ſaid perhaps, that we are falne from our firſt Love, become proud and idle. It is certain (My Lords) that the hand of* GOD *is not upon us for nothing; but take heed how you admit of ſuch aſſaults and ſallyes upon mens Eſtates, as may ſlacken the Nerve of labour, and give others alſo reaſon to believe that their ſweat is vain; Or whatſoever be pretended, your* Agrarian *(which is my Fourth Aſſertion) muſt indeed deſtroy Induſtry: For, that ſo it did*

did in Lacedemon, *is moſt apparent, as alſo that it could do no otherwiſe, where every man having his* 40. *Quarters of Barley, with Wine proportionable, ſupplyed him out of his own Lot by his Labourer or Helott; and being confin'd in that unto the ſcantling above which he might not live, there was not any ſuch thing as a Trade, or other Art, ſave that of War, in excerciſe; VVherefore a* Spartane, *if he were not in Arms, muſt ſit and play with his fingers, whence enſued perpetuall VVar; And, the Eſtate of the Citizen being as little capable of encreaſe, as that of the Common-wealth, her inevitable Ruine. Now what better ends you can propoſe unto your ſelves in like wayes, I do not ſo well ſee, as that there may be worſe; For* Lacedemon *yet, was free from civill VVar; but if you imploy your Citizens no better then ſhe did, I cannot promiſe you that you ſhall fare ſo well, becauſe both they are ſtill deſirous of VVar that hope it may be profitable unto them; And the ſtrongeſt ſecurity you can give of Peace, is to make it gainfull; otherwiſe men will rather chooſe that whereby they may break your Lawes, then that whereby your Lawes may break them; which I do not ſpeak ſo much*

much in relation unto the Nobility, *or such as would be holding, as to the people or them that would be getting; the passion in these being of so much the more strength, as a mans felicity is weaker in the Fruition of things, then in the Prosecution and encrease of them.*

Truly (my Lords) it is my fear, that by taking off more hands, and the best from Industry, you will farther indammage it, then can be repaired by laying on a few, and the worst: while the Nobility *must be forced to send their Sons unto the Plough; and, as if this were not enough, to Marry their Daughters also unto Farmers.*

6. *But I do not see (to come unto the last Point) how it is possible that this thing should be brought about, to your good I mean, though it may unto the Destruction of many: For that the* Agrarian *of* Israel, *or that of* Lacedemon *might stand, is no such miracle; the Lands without any Consideration of the former Proprietor, being surveyed and cast into equall Lots, which could neither be bought, nor sold, nor multiplyed; so that they knew whereabout to have a man: but in this Nation no such Division can be introduced, the Lands being already in the*

the hands of Proprietors, and ſuch whoſe Eſtates lye very rarely together, but mixed one with another, being alſo of Tenures in nature ſo different; that as there is no experience that an Agrarian *was ever introduced in ſuch a caſe, ſo there is no appearance how, or reaſon why, it ſhould: but that which is againſt Reaſon and Experience is impoſſible.*

The Caſe of my Lord *Philautus* was the moſt concern'd in the whole Nation; for he had four younger Brothers, his Father being yet Living unto whom he was Heir of ten thouſand pounds a year: Wherefore being a man both of good parts and eſteem, his words wrought both upon Mens Reaſon, and Paſſions, and had born a ſtroke at the head of the buſineſſe, if my Lord *Archon* had not interpoſed the Buckler, in this Oration:

My Lords, the Legiſlators of *Oceana*,

MY *Lord* Philautus *hath made a thing which is eaſie, to ſeem hard; if he ought the thanks unto his Eloquence, it would be worthy of leſſe Praiſe, then that he oweth it unto his merit, and the Love he hath moſt deſervedly purchaſed of all men: nor is it rationally to be feared, that he who is ſo much before-hand in his Private, ſhould be in Arrear in his Publique capacity. Wherefore my Lords tenderneſſe throughout his Speech ariſing*

ſing from no other principle then his ſolicitude, leſt the Agrarian *ſhould be hurtfull unto his Country; It is no leſſe then my duty to give the beſt ſatisfaction I am able unto ſo good a* Patriot, *taking every one of his doubts in the Order propoſed: And,*

1. *Firſt, Whereas my Lord, upon Obſervation of the Modern Common-wealths, is of opinion, that an Agrarian is not neceſsary; It muſt be confeſſed, that at the firſt ſight of them there is ſome appearance favouring his Aſſertion: but upon Accidents of no preſidents unto us. For the* Common-wealths *of* Switz *and* Holland, *I mean of thoſe Leagues, being ſituated in Countries not alluring the Inhabitants unto wantonneſs, but obliging them unto univerſal Induſtry, have an implicite* Agrarian *in the nature of them: and being not obnoxious unto a growing Nobility, which as long as their former* Monarchies *ſpread the wing over them, could either not at all be hatched, or was ſoon broken; are of no Example unto us, whoſe experience in this point hath been unto the Contrary. But what if even in theſe* Governments *there be indeed an explicite* Agrarian? *For when the Law Commands an equall,*

or

or near equall distribution of a mans Estate in Land among his Children, as in those Countries. a Nobility *cannot grow, and so there needeth no* Agrarian, *or is one. And for the growth of the Nobility in* Venice, *(if so it be, for* Machiavill *observes in that Republick, as a cause of it, a great mediocrity of Estates) it is not a point that she is to fear, but might study, seeing She consisteth of nothing else but Nobility; by which, what ever their Estates suck from the People, especially if it come equally, is digested into the better blood of that* Common-wealth, *which is all, or the greatest benefit they can have by accumulation; for how unequall soever you will have them to be in their Incoms, they have Officers of the Pomp, to bring them equall in expences, or at least in the ostentation or shew of them: And so unlesse the advantage of an Estate consist more in the measure then in the use of it, the Authority of* Venice, *but enforceth our* Agrarian; *nor shall a man evade or elude the prudence of it, by the authority of any other* Common-wealth; *For if a* Common-wealth *have been introduced at once as those of* Israel *and* Lacedemon, *you are certain to find her underlayd with*

with this as the main foundation; nor if she have owght more unto Fortune *then* Prudence, *hath she raised her head without musing upon this matter, as appeareth by that of* Athens, *which through her Defect in this point, saith* Aristotle, *introduced her* Ostraciſme, *as most of the* Democraties *of* Greece. [Ob hanc itaq; causam civitates quæ Democratice administrantur Ostraciſmum instituunt:] *But not to restrain a Fundamental of such latitude unto any one kind of* Government. *Do we not yet see, that if there be a sole Landlord, of a vast Territory, he is the* Turk? *That if a few Land-Lords overballance a Populous Countrey, they have store of Servants? That if a People be in equall ballance, they can have no Lords? That no* Government *can otherwise be erected, then upon some one of these Foundations? That no one of these Foundations, (each being else apt to change into some other) can give any security unto the* Government, *unlesse it be fixed? That through the want of this fixation, potent* Monarchies, *and* Commonwealths *have falne upon the heads of the People, and accompanied their own sad Ruines with vast effusions of innocent Blood?*

Arist. Pol. 1. 3. c. 9.

Blood? Let the Fame, as was the merit of the ancient Nobility *of this Nation, be equall unto, or above what hath been already ſaid, or can be ſpoken, yet have we ſeen not only their Glory, but that of a Throne, the moſt indulgent to, and leaſt invaſive for ſo many Ages upon the Liberty of a People that the World hath known, through the meer want of fixing her foot by a proportionable* Agrarian *upon her proper Foundation, to have falne with ſuch horrour, as hath been a Spectacle of aſtoniſhment unto the whole earth. And were it well argued from one Calamity, that we ought not to prevent another? Nor is* Ariſtotle *ſo good a Common-wealths-man for deriding the invention of* Phaleas, *as in recollecting himſelf, where he ſaith, That* Democraties *when a Leſſer part of their Citizens overtop the reſt in Wealth, degenerate into* Oligarchies, *and* Principalities: *And, which comes nearer unto the preſent purpoſe, that the greater part of the Nobility of* Tarantum *coming accidentally to be ruin'd, the Government of the Few came by conſequence to be changed into that of the Many.* Pol. l. 5. c. 3.

Theſe things conſidered, I cannot ſee

how an Agrarian *as to the fixation or ſecurity of a Government can be leſſe then neceſsary.* ☞*And if a Cure be neceſsary, it excuſeth not the Patient, his diſeaſe being otherwiſe deſperate, that it is dangerous; which was the Caſe of* Rome, *not ſo ſtated by* Machiavill, *where he ſaith,* That the ſtrife about the *Agrarian* cauſed the Deſtruction of that Common-wealth. *As if when a* Senator *was not rich* (*as* Craſſus *held*) *except he could pay an Army, that Common-wealth could have done other then Ruine; whether in ſtrife about the* Agrarian, *or without it*: (Nuper divitiæ avaritiam & abundantes voluptates deſiderium per luxum atq; libidinem pereundi perdendiq; omnia invexere:) *If the greateſt Security of a Common-wealth conſiſt in being provided with the proper* ☞*Antidote againſt this Poiſon, her greateſt Danger muſt be from the abſence of an* Agrarian; *which is the whole truth of the* Roman *example*: *For the* Laconick, *I ſhall reſerve the farther explication of it, as my Lord alſo did to another Place*: *and firſt ſee whether an* Agrarian *proportioned unto a Popular Government, be ſufficient to keep out* Monarchy: *My Lord*

Liv. in præf.

is

is for the negative, and fortified by the People of Israel *electing a* King. *To which I say, That the Action of the People therein expressed is a full Answer unto the Objection of that example; For the* Monarchy *neither grew upon them, nor could by reason of the* Agrarian *possibly have invaded them, if they had not pull'd it upon themselves by the election of a King; which being an Accident, the like whereof is not to be found in any other People so planted, nor in this, till as it is manifest, they were given up by* GOD *unto infatuation,* (*for saith he to* Samuel, They have not rejected *Thee*, but they have rejected *Me*, that I should not Reign over them) *hath something in it which is apparent, by what went before, to have been besides the Course of Nature, and by what followed:* For *the* King *having no other foundation then the Calamities of the People, so often beaten by their Enemies, that despairing of themselves, they were contented with any Change; If he had Peace as in the dayes of* Solomon, *left but a slippery Throne unto his Successor, as appeared by* Rehoboam. *And the* Agrarian, *notwithstanding the* Monarchy *thus introduced, so faithfully pre-*

ſerved the Root of that Common-wealth, that it ſhot oftner forth, and by intervals continued longer then any other Government, as may be computed from the Inſtitution of the ſame by Joſhua, 1465. years before Chriſt, unto the totall Diſſolution of it, which happened in the Raign of the Emperour Adrian 135. years after the Incarnation. A People planted upon an equall Agrarian, and holding to it, if they part with their liberty, muſt do it upon good will, and make but a bad title of their bounty. As to inſtance yet farther in that which is propoſed by the preſent Order to this Nation, the Standard whereof is at 2000 l. a year. The whole Territory of Oceana being divided by this proportion, amounteth unto 5000. Lots. So the Lands of Oceana being thus diſtributed, and bound unto this diſtribution, can never fall unto fewer then Five thouſand Proprietors. But Five thouſand Proprietors ſo ſeaſed will not agree to break the Agrarian; for that were to agree to rob one another; Nor to bring in a King, becauſe they muſt maintain him, and can have no benefit by him; Nor to exclude the People, becauſe they can have as little by that, and muſt ſpoyl their Militia. So the Common-

wealth

wealth *continuing upon the ballance proposed, though it should come into Five thousand hands can never alter; And that it should ever come into Five thousand hands, is as improbable as any thing in the World that is not altogether impossible.*

My Lords, other Considerations are more private: As that this Order destroyes Families; which is as if one should lay the ruines of some ancient Castle unto the Herbs which do usually grow out of them; the destruction of those Families being that indeed which naturally produced this Order. For we do not now argue for that which we would have, but for that which we are already possessed of; as would appear, if a note were but taken of all such as have at this day above Two thousand pounds a year in Oceana. *If my Lord should grant (and I will put it with the most) that they who are Proprietors in Land, exceeding the proportion, exceed not Three hundred; with what brow can the Interest of so few be ballanced with that of the whole Nation? Or rather, what Interest have they to put in such a ballance? They would live as they have been accustomed to do: Who hinders them? They would enjoy their*

their Estates, Who touches them? They would dispose of what they have according unto the Interest of their Families; It is that which we desire. A man hath one Son, let him be called; Would he enjoy his Fathers Estate? It is his, and his Sons, and his Sons Sons after him. A man hath five Sons, let them be called, Would they enjoy their Fathers Estate? It is divided among them; for we have four Votes for one in the same Family, and therefore this must be the Interest of the Family; or the Family knoweth not her own Interest. If a man shall dispute otherwise, he must draw his Arguments from Custom, and from Greatnesse, which was the interest of the Monarchy, *not of the Family: and we are now a* Common-wealth. *If the* Monarchy *could not bear with such divisions because they tended to a* Common-wealth; *neither can a* Common-wealth *connive at such accumulations, because they tend to a* Monarchy. *If the* Monarchy *might make bold with so many for the good of one; We may make bold with one for the good of so many, nay, for the good of all. My Lords, it cometh into my head, that upon occasion of the variety of Parties enumerated in our late Civill Wars, was*

said

ſaid by a Friend of mine coming home from his Travels, about the latter end of theſe Troubles; That he admired how it came to paſſe, that Younger Brothers, eſpecially being ſo many more in number then their Elder, did not make one againſt a Tyranny, the like whereof hath not been exerciſed in any other Nation. *And truly, when I conſider that our Country-men are none of the worſt natur'd, I muſt confeſſe I marvel much how it comes to paſſe, that we ſhould uſe our Children, as we do our Puppies; take one, lay it in the lap, feed it with every good bit, and drown five! Nay worſe; for as much as the Puppies are once drown'd, whereas the Children are left perpetually drowning. Really, my Lords, it is a flinty Cuſtome! and all this for his cruell Ambition, that would raiſe himſelf a Pillar, a golden Pillar for his Monument, though he have Children, his own reviving Fleſh, and a kind of immortality. And this is that Intereſt of a Family, for which we are to think ill of a Government that will not endure it. But quiet your ſelves. The Land through which the River* Nilus *wanders in one ſtream, is barren, but where he parts into Seven, he multiplies his*

his fertile ſhores, by diſtributing, yet keeping and improving ſuch a Proprietyand Nutrition, as is a prudent Agrarian *unto a well ordered* Commonwealth.

Nor (to come unto the fifth Aſſertion) is a Political body rendred any fitter for Induſtry, by having one Gowty, and another withered Leg, than a naturall: It tendeth not unto the improvement of Merchandize that there be ſome who have no need of their Trading, and others that are not able to follow it. If confinement diſcourage Induſtry, an Eſtate in money is not confined; and leſt Induſtry ſhould want whereupon to work, Land is not engroſſed, nor entailed upon any man, but remains at her Devotion. I wonder whence the computation can ariſe, that this ſhould diſcourage Induſtry? Two thouſand pounds a year a man may enjoy in Oceana, *as much in* Panopea, *Five hundred in* Marpeſia: *there be other* Plantations; *and the Common-wealth will have more: Who knoweth how far the Arms of our* Agrarian *may extend themſelves? and whether he that might have left a Pillar, may not leave a Temple or many Pillars unto his more pious Memory? Where there*

is

is ſome meaſure in riches, a man may be rich; but if you will have them to be infinite, there will be no end of ſterving himſelf, and wanting what he hath: and what pains does ſuch an one take to be poor! Furthermore if a man ſhall think, that there may be an Induſtry leſſe greaſie, or more noble, and ſo caſt his thoughts upon the Common-wealth, *he will have Leiſure for her, and ſhe Riches and Honours for him; his ſweat ſhall ſmell like* Alexander's. *My Lord* Philautus *is a young Man, who enjoying his Ten thouſand pounds a year, may keep a noble Houſe in the old way, and have homely Gueſts: and having but Two, by the means propoſed, may take the upper hand of his great Anceſtors; with reverence unto whom, I may ſay, there hath not been one of them would have diſputed his place with a* Roman Conſul. *My Lord, do not break my heart; the Nobility ſhall go unto no other Ploughs then thoſe from which we call our Conſuls. But ſaith he, it having been ſo with* Lacedemon, *that neither the City nor the Citizens was capable of increaſe, a blow was given by that* Agrarian, *which Ruined both. And what are we concerned with that* Agrarian, *or that blow,*

while our Citizens and our City (and that by our Agrarian) are both capable of encreaſe? The Spartane *if he made a Conqueſt had not Citizens to hold it, the* Oceaner *will have enow: the* Spartane *could have no Trade, the* Oceaner *may have all. The Agrarian in* Laconia, *that it might bind on Knapſacks, forbidding all other Arts but that of War, could not make an Army of above* 30000. *Citizens. The Agrarian in* Oceana *without interruption of Traffique, provides us in the fifth part of the Youth an annuall ſource or freſh ſpring of* 100000. *beſides our Provinciall Auxiliaries; out of which to draw marching Armies; And as many Elders, not feeble, but men moſt of them in the flowr of their Age, and in Arms for the defence of our Territories. The Agrarian in* Laconia, *baniſht money; this, multiplyes it. That, allowed a matter of twenty or thirty Acres to a man; this, two or three thouſand: There is no Compariſon between them. And yet I differ ſo much from my Lord, or his opinion, that the Agrarian was the Ruine of* Lacedemon; *that I hold it no leſſe then demonſtrable to have been her main ſupport; For if baniſh-*

baniſhing all other diverſions it could not make an Army of above 30000; *then letting in all other diverſions, it muſt have broken that Army: Wherefore* Lyſander *bringing in the golden ſpoyles of* Athens, *irrecoverably ruin'd that* Common-wealth; *and is a warning to us, that in giving encouragement unto Induſtry, we alſo remember, that* Covetouſneſſe *is the root of all* Evill. *And our* Agrarian *can never be the cauſe of thoſe Seditions threatened by my Lord, but is the proper cure of them, as* Lucan *noteth well in the State of* Rome, *before the Civil Wars, which happened through the want of ſuch an Antidote;*

Hinc uſura vorax, rapidumq; in tempore Fœnus,
Hinc concuſſa fides, et multis utile bellum.

Why then are we miſtaken, as if we intended not equall advantages in our Common-wealth unto either Sex, becauſe we would not have womens fortunes conſiſt in that metall, which expoſeth them unto Cut-purſes? If a man cut my purſe, I may have him by the heels, or by the neck for it; Whereas a man may cut a

Womans purſe and have her for his pains in fetters. How bruitiſh, and much more then bruitiſh, is that Common-wealth, *which preferreth the Earth before the fruits of her Womb? If the people be her treaſure, the ſtaffe by which ſhe is ſuſtained and comforted, with what Juſtice can ſhe ſuffer them, by whom ſhe is moſt inriched, to be for that cauſe the moſt impoveriſhed? and yet we ſee the gifts of* God, *and the bounties of Heaven in fruitful Families, through this wretched cuſtome of marrying for money, become their inſupportable grief and poverty: nor falleth this ſo heavy upon the lower ſort, being better able to ſhift for themſelves, as upon the Nobility or Gentry: For what availeth it in this caſe, from whence their veins have derived their blood; while they ſhall ſee the Tallow of a* Chandler, *ſooner converted into that beauty which is required in a Bride? I appeal, whether my Lord* Philautus *or my ſelf be the Advocate of* Nobility; *againſt which in the Caſe propoſed by me, there would be nothing to hold the ballance. And why is a woman, if ſhe may have but fifteen hundred pounds, undone? If ſhe be unmarried, what Nobleman allowes his Daughter in that caſe a greater Revenue,*

nue, then ſo much mony may command? And if ſhe marry, no Nobleman can give his Daughter a greater portion then ſhe hath. Who is hurt in this caſe? nay, who is not beneſitted? If the Agrarian *give us the ſweat of our brows without diminution; if it prepare our table, if it make our Cup to over flow; and above all this, in providing for our Children, anoint our heads with that oyl which taketh away the greateſt of worldly cares, what man, that is not beſotted with a Covetouſneſſe as vain as endleſſe, can imagine ſuch a Conſtitution to be his Poverty, ſeeing where no woman can be conſiderable for her portion, no portion will be conſiderable with a woman; and ſo their Children will not only find better preferments without their brocage, but more freedom of their own affections. We are wonderfull ſevere in Laws, That hey ſhall not marry without our conſent; as if it were care and tenderneſſe over them: But is it not, leſt we ſhould not have the other thouſand pound with this Son, or the other hundred pound a year more in Joynture for that Daughter? Theſe when we are croſt in them are the ſins for which we water our couch with tears, but not of Penitence; ſeeing whereas it is a miſ-*

chief

chief beyond any that we can do unto our enemies, we perſiſt to make nothing of breaking the affection of our Children. But there is in this Agrarian *an homage unto pure and ſpotleſſe Love, the conſequence whereof I will not give for all the* Romances. *An Alderman maketh not his Daughter a* Counteſſe *till he have given her* 20000 l. *nor a Romance a conſiderable* Miſtriſſe *till ſhe be a* Princeſſe; *theſe are characters of baſtard Love. But if our* Agrarian *exclude Ambition and Covetouſneſs, we ſhall at length have the care of our own breed, in which we have been curious as to that of our Dogs and our Horſes. The marriage bed will be truly Legitimate, and the Race of the* Common-wealth *not ſpurious.*

But (impar magnanimis auſis imparq; dolori) *I am hurl'd from all my hopes by my Lords laſt Aſſertion of Impoſſibility, that the Root from whence we imagine theſe fruits, ſhould be planted or thrive in this ſoyl. And why? becauſe of the mixture of Eſtates, and variety of Tenures. Neverthleſs there is yet extant in the* Exchequer *an old Survey of the whole Nation; Wherefore ſuch a thing is not impoſſible: Now if*

if a new ſurvey were taken at the preſent Rates, and the Law made, that no man ſhould hold hereafter above ſo much Land as is valued therein at 2000*l. a year; it would amount unto a good and ſufficient* Agrarian. *It is true, that there would remain ſome difficulty in the different kind of Rents; And that it is a matter requiring not only more leiſure then we have; but an Authority which may be better able to bow men unto a more generall Conſent, then is to be wrought out of them by ſuch as are in our capacity: Wherefore, as to the Manner, it is neceſſary that we refer it unto the* Parliament; *but as to the Matter, they can no otherwiſe fix their Government upon the right Ballance.*

I ſhall conclude with a few words, to ſome parts of the Order, which my Lord hath omitted. As firſt to the Conſequences of the Agrarian *to be ſettled in* Marpeſia, *which irrepairably breaks the* Ariſtocracy *of that Nation; being of ſuch a nature, as ſtanding, it is not poſſible that you ſhould Govern. For while the People of that Country are little better*

better then the Cattle of the Nobility, you muſt not wonder if according as theſe can make their Markets with Forreign Princes, you find theſe to be driven upon your Grounds: And if you be ſo tender now you have it in your Power, as not to hold an hand upon them that may prevent the Slaughter that muſt otherwiſe enſue in like Caſes, the bloud will lye at your door. But in holding ſuch an hand upon them, you may ſettle the Agrarian; *and in ſettling the Agrarian, you give the People not only Liberty, but Lands; which makes your Protection neceſſary to their Security; and their Contribution due unto your Protection, as to their own Safety.*

For the Agrarian *of* Panopea, *it allowing ſuch Proportions of ſo good Land, men that conceive themſelves ſtreightned by this in* Oceana, *will begin there to let themſelves forth, where every Citizen will in time have his* Villa. *And there is no queſtion, but the improvement of that Country by this means, muſt be far greater then it hath been in the beſt of former times.*

I have no more to ſay, but that in thoſe

those ancient and heroicall Ages, when men thought that to be necessary which was virtuous; the Nobility of Athens *having the People so much engaged in their Debt, that there remained no other question among these, than, which of those should be* King; *no sooner heard* Solon *speak than they quitted their Debts, and restored the* Common-wealth: *Which ever after held a Solemn and Annuall Feast called the* Sisacthia, *or* Recision *in memory of that Action. Nor is this example the* Phœnix; *For at the Institution by* Lycurgus, *the Nobility having Estates (as ours here) in the Lands of* Laconia, *upon no other valuable Consideration, than the* Common-wealth *proposed by him, threw them up to be parcel'd by his* Agrarian. *But now when no man is desired to throw up a farthing of his money, or a shovell full of his Earth, and that all we can do, is but to make a Virtue of necessity: We are disputing whether we should have Peace, or War; For Peace, you cannot have without some Government, nor any Government without the proper Ballance: Wherefore if you will not fix this which you have, the rest*

is blood, for without blood you can bring in no other.

By theſe Speeches made at the Inſtitution of the Agrarian, you may perceive what were the Grounds of it. The next is

14. *Ord.* **The Fourteenth Order, conſtituting the Ballot of Venice, as it is fitted by ſeverall alterations, and appointed unto every Aſſembly, to be the conſtant and only way of giving ſuffrage in this Common-wealth.**

This is the generall Order, whence thoſe branches of the Ballot, ſome whereof you have allready ſeen are derived, which with thoſe that follow were all read and debated in this place at the Inſtitution; when my Lord *Epimonus de Garrula* being one of the Counſellors, and having no farther patience, (though the Rules were compoſed by the Agent of this Common-wealth, reſiding for that purpoſe at *Venice*) then to heare the direction for the Pariſhes, ſtood up, and made way for himſelfe in this manner:

May

May it pleaſe your Highneſſe, my Lord Archon,

UNder Correction of Mr. *Peregrine Spy* our very Learned *Agent* and *Intelligencer*; I have ſeen the World a little *Venice*, and (as Gentlemen are permitted to do) the Great Councill Ballotting. And truly, I muſt needs ſay, that it is for a dumb ſhew the goodlieſt that I ever beheld with mine Eyes. You ſhould have ſome would take it ill, as if the noble *Venetians* thought themſelves too good to ſpeak to Strangers, but they obſerved them not ſo narrowly: The truth is, they have nothing to ſay unto their Acquaintance; or, Men that are in Council ſure would have tongues: For, a Council, and not a word ſpoken in it, is a Contradiction —— But there is ſuch a pudder with their Marching and Counter-marching, as though never a one of them draw a Sword, you would think they were Training; which till I found that they did it onely to entertain ſtrangers, I came from among them as wiſe as I went thither —— But in the *Parliament* of *Oceana* you had no Balls, or Dancing, but ſober Converſation, a Man might know and be known; ſhew his parts, and improve 'em. And now if you take the advice of this ſame Fellow you will ſpoyl all with his Whimſies. —— *Mr Speaker*,-- Cry you mercy, my Lord *Archon* I mean; Set the wiſeſt Man of your Houſe in the Great Council of *Venice*, and you will not know him, from a Fool. Whereas nothing is more certain, then that flat and dull fellowes in the Judgment of all ſuch as uſed to keep Company with them before, upon Election into our Houſe, have immediately chitted like Barley in the ſar, where it acquires a new Spirit, and flow'd forth into Language, that I am as confident as I am here, if there were not ſuch as delight to a' uſe us, is far better then *Tully's*: Or, let any boy but tranſlate one of his Orations, and ſpeak it in the Houſe, and ſee if every body do not laugh at him. This is a great matter,

Mr. Speaker, they do not cant it with your book-Learning, your Orbs, your Centers, your prime Magnitudes, and your Nebulones, things I profeſſe that would make a ſober man run ſtark mad to hear 'em; while we, who ſhould be conſidering the Honour of our Country, and that it goes now or never upon our hand, whether it ſhall be ridiculous to all the world; are going to nine-holes, or trow-*Madam* for our Euſineſſe, like your dumb *Venetian*, whom this ſame Sir *Politick* your Reſident that never ſaw him do any thing but make faces, would inſinuate into you, at this diſtance, to have the only knack of State: Whereas if you ſhould take the pains as I have done to look a little nearer, you would find theſe ſame wonderful things to be nothing elſe, but meer naturall Fopperies or *Capricio's*, as they call them in *Italien*, even of the meaneſt of that Nation: For, put the Caſe you be travelling in *Italy*, ask your *Contadino*, that is, the next Country-fellow you meet ſome queſtion, and preſently he ballots you an anſwer with a nod, which is Affirmative; or a ſhake with his head, which is the Negative box: Or a ſhrug with his ſhoulder, which is the *Boſſolo di non ſinceri.*—— Good! You will admire *Sandes* for telling you, that *Grotta di cane* is a Miracle: and I ſhall be laughed at for aſſuring you, that it is nothing elſe but ſuch a damp (continued by the neighbourhood of certain Sulphur-mines) as through accidental heat doth ſometimes happen in our Coal-Pits. But ingratitude muſt not diſcourage an honeſt man from doing good. There is not, I ſay, ſuch a tongue-ty'd Generation under Heaven as your *Italian*; that you ſhould not wonder if he make ſigns. But our People muſt have ſomething in their *Diurnalls*, we muſt ever and anon be telling 'em our minds; or if we be at it when we raiſe Taxes like thoſe Gentlemen with the finger and the thumb, they will ſwear that we are Cut-purſes. —— Come, I know what I have heard 'em ſay, when ſome men had mony that wrought hard enough for it: and do you conceive they will be better pleaſed when they ſhall be told, that upon like occaſions you are at Mum-chance or Stool-ball? I do not

ſpeak

ſpeak for my ſelf; for though I ſhall alwaies acknowledge, that I got more by one years ſitting in the Houſe, then by my three years Travels; it was not of that kind. But I hate that this ſame *Spy* for pretending to have plaid at Billiards with the moſt Serene Common-Wealth of *Venice*, ſhould make ſuch fools of us here; when I know that he muſt have had his intelligence from ſome Corn-Cutter upon the *Rialto*; for a noble *Venetian* would be hang'd if he ſhould keep ſuch a fellow Company.—— And yet if I do not think he hath made you all dote, never truſt me, my Lord *Archon* is ſometimes in ſuch ſtrange Raptures. Why good my Lord let me be heard as well as your Aple Squire, She hath freſh blood in her Cheeks, I muſt confeſſe, but ſhe is but an old Lady; nor has he pickt her Cabinet; theſe he ſends you are none of her Receipts I can aſſure you, he bought them for a *Julio* at St. *Marks* of a Mountebank: She hath no other waſh upon my knowledge for that ſame envy'd Complexion of hers but her *Marſhes*, being a little better ſented, ſaving your preſence, then a Chamber-pot.—— My *Lords*, I know what I ſay, But you will never have done with it, That neither the great *Turk*, nor any of thoſe little *Turks* her Neighbours have been able to ſpoyl her! Why you may as well wonder that *Weeſels* do not ſuck Eggs in *Swans*-Neſts.—— Do you think that it hath layn in the Devotion of her Beads; which you that have peuked ſo much at Popery, are now at length reſolv'd, ſhall Conſecrate *M. Parſon*, and be dropt by every one of his Congregation, while thoſe ſame whimſicall Intelligences your Surveyors (you will break my heart) give the turn unto your *Primum Mobile*? and ſo I think they will, for you will find, that Money is the *Primum Mobile*, and they will turn you thus out of ſome three or four hundred thouſand pounds. A pretty Summe for Urns, and Balls, for Boxes and Pills, which theſe ſame quackſalvers are to Adminiſter unto the Pariſhes, and for what diſeaſe I mervail! Or how does it Work? Out comes a Conſtable, an Overſeer, and a Church-warden! Mr. *Speaker*, I am amaz'd!

Never

Never was there Goose so stuck with Lard as my Lord *Epimonus*'s Speech with laughter, The *Archon* having much ado to recover himself, in such manner as might enable him to return these thanks:

IN your whole lives (my Lords) were you never entertained with so much Ingenuity; my Lord Epimonus having at once mended all the faults of Travellers. For first, whereas they are abominable Liars, he hath not told you (except some malicious body have mis-informed him, concerning poor Spy) one syllable of falsehood. And Secondly, whereas they never fail to give the upper hand in all their Discourses unto Forraign Nations, still justling their own into the Kennell; he bears an Honour unto his Country that will not dissolve in Cephalonia, nor be corrupted with Figs, and Melons, which I can assure you is no ordinary Obligation: and therefore hold it a matter of publick concernment, that we be no occasion of quenching my Lords Affections; nor is there any such great matter between us, but might me thinks be easily reconciled: for though that which my Lord gained by sitting in the House, I stedfastly believe, as he can affirm, was gotten fairly; yet dare I not, nor do I think, that upon consideration, he will promise so much for

for other Gameſters, eſpecially when they were at it ſo high, as he intimates not only to have been in uſe, but to be like enough to come about again. Wherefore (ſay I) let them throw with boxes; for unleſſe we will be below the Politicks of an ordinary, there is no ſuch barre unto Cogging. It is known unto his Lordſhip, that our Game is, Moſt at a throw, and that every caſt of our Dice is, in our Suffrages; nor will he deny, that partiality in a Suffrage is downright Cogging. Now if the Venetian *boxes be the moſt ſoveraign of all Remedies againſt this ſame Cogging: Is it not a ſtrange thing that they ſhould be thrown firſt into the fire by a fair Gameſter? Men are naturally ſubject unto all kinds of Paſſion; Some you have that are not able to withſtand the brow of an Enemy; And, others that make nothing of this, are leſſe of proof againſt that of a Friend; So that if your Suffrage be bare-faced, I dare ſay you ſhall not have one fair caſt in twenty. But what ever a mans fortune be at the box, he neither knoweth whom to thank, nor whom to Challenge. Wherefore (that my Lord may have a Charitable opinion of the choice Affection which I confeſſe to have above all other beauties, for that*

of

of incomparable Venice) *there is in this way of Suffrage no leſſe then a demonſtration that it is the moſt pure; and the purity of the Suffrage in a popular Government is the health, if not the life of it; ſeeing the Soul is no otherwiſe breathed into the Soveraign Power, then by the Suffrage of the People. Wherefore no wonder if* Poſtellus *be of opinion, that this uſe of the Ball is the very ſame with that which was of the Bean in* Athens; *or, that others, by the Text concerning* Eldad *and* Medad, *derive it from the* Common-wealth *of* Iſrael. *There is another thing, though not ſo materiall unto us, that my Lord will excuſe Me, if I be not willing to yield, which is that* Venice *ſubſiſteth only by her Situation; It is true, that a man in time of Warre, may be more ſecure from his Enemies, by being in a Citadell; but not from his Diſeaſes; wherefore the firſt cauſe, if he live long, is his good Conſtitution, without which his Citadell were to little purpoſe; and it is no otherwiſe with* Venice.

With this ſpeech of the *Archon*, I conclude, the proofe of the *Agrarian*; and of the *Ballot*, being the Fundamentall Lawes of this *Common-wealth*: and come now from the Center to the circumferences or Orbes, whereof ſome have been already ſhewn; As how the Pariſhes annually poure themſelves into the

the Hundreds, the Hundreds into the Tribes, and the Tribes into the *Gallaxy's*, the *Annuall Gallaxy* of every Tribe consisting of two Knights, and seaven Deputies, whereof the Knights constitute the Senate; the Deputies, the Prerogative Tribe commonly called the people: and the Senate and the people constitute the Soveraigne Power, or Parliament of *Oceana*. Wherefore to shew what the *Parliament* is, I must first open the Senate, and then the people, or *Prerogative Tribe*.

The face of the Senate.

To begin with the Senate, of which (as a man is differently represented by a Picture drawer, and by an Anatomist) I shall first discover the face or aspect, and then the parts, with the use of them. Every Munday-Morning in the Summer, at seaven, and in the Winter at eight, the great Bell in the Clockhouse at the Pantheon beginneth, and continueth Ringing for the space of one houre, in which time the Magistrates of the *Senate*, being attended according to their quality, with a respective number of the Balotines, Doore-keepers, and Messengers, and having the Ensignes of their Magistracies borne before them, as the Sword before the *Strategus*, the Mace before the Orator, a Mace with the Seale before the *Commissioners* of the *Chancery*, the like with the Purse before the *Commissioners* of the *Treasury*; and a Silver wand, like those in use with the Universities, before each of the *Censors* being *Chancellors* of the same. These with the Knights, in all Three hundred, Assemble in the House or Hall of the *Senate*.

The House or Hall of the Senate, being scituated in the Pantheon or Pallace of Justice, is a roome consisting of a Square and a halfe: in the middle of the lower end is the doore; at the upper end hangeth a rich State overshaddowing the greater part of a large Throne, or halfe pace of two Stages, the first ascended by two steps from the floore, and the second about the middle, rising two steps higher. Upon this stand two Chaires, in that on the right hand sits the *Strategus*, in the other the *Orator*, adorned with Scarlet Robes, after the fashion that was used by the *Dukes* in the *Aristocracy*. At the right end of the upper Stage, stand three Chaires, in which the three *Commissioners* of the Seale are placed, and at the other end sit the three Commissioners of the *Treasury*, every one in a Robe, or habit like that of the Earls, of these Magistrates of this upper Stage consisteth the Signory. At either end of the lower Stage stands a little Table, to which the Secreteries of the Senate are set with their tufted sleeves in the habit of civill Lawyers. Unto the foure stepps, whereby the two Stages of the Throne are ascended, answer foure long Benches, which successively deriving from every one of the stepps containe their respective height, and extend themselves by the side Walls towards the lower end of the house, every bench

being divided by numerall Characters into the Thirty ſeaven parts or places. Upon the upper benches ſit the Cenſors in the Robes of Barons; the firſt in the middle of the right hand bench, and the ſecond directly oppoſite unto him on the other ſide. Upon the reſt of the Benches ſit the Knights, who if they be called unto the Urnes diſtributing themſelves by the figures come in equall files, either by the firſt ſcale which conſiſteth of the two upper benches on either ſide; or by the ſecond ſcale conſiſting of the two lower benches on either ſide; beginning alſo at the upper, or at the lower ends of the ſame according to the Lot whereby they are called for which end the benches are open, and aſcended at either end with eaſy ſtaires, and large paſſages. The reſt of the ballot is conformable unto that of the Tribe; the Cenſors of the houſe ſitting at the ſide Urnes, and the youngeſt *Magiſtrate* of the Signory, at the middle; the Urnes being placed before the Throne, and prepared according unto the number of the *Magiſtrates* to be at that time choſen by the rules already given unto the Cenſors of the Tribes. But before the benches of the Knights on either ſide ſtands one being ſhorter; and at the upper end of this, ſit the two Tribunes of the Horſe; at the upper end of the other, the two Tribunes of the foot in their Armes; the reſt of the benches being covered by the Judges of the Land in their Robes; but theſe *Magiſtrates* have no ſuffrage, neither the Tribunes, though they derive their preſence in the Senate, from the Romans; nor the Judges, though they derive theirs, from the ancient Senate of *Oceana*. Every Monday, this aſſembly ſits of courſe; at other times, if there be occaſion, any *Magiſtrate* of the Houſe by giving order for the Bell or by his lictor, or enſigne-bearer calls a Senate; And every *Magiſtrate* or Knight during his ſeſſion hath the Title, Place, and Honour of a Duke, Earle, Baron or Knight reſpectively. And every one that hath borne the ſame Magiſtracy (*tertiò*) by his third ſeſſion, hath his reſpective place, and Title during the terme of his Life, which is all the Honour conferr'd by this Common-wealth, except upon the Maſter of the Ceremonies, the Maſter of the Horſe, and the King of the Heraulds, who are Knights by their Places. And thus you have the Face of the Senate, in which there is ſcarce any feature that is not *Roman* or *Venetian*; nor do the Hornes of this Creſcent extend themſelves much unlike thoſe of the *Sanhedrim*, on either hand of the Prince, and of the Father of that Senate. But upon Beauty in which every *Man* hath his phanſy, we will not otherwiſe Phyloſophize then to remember that there is ſomthing more then decency in the Robe of a Judge, that would not be well ſpared from the Bench; and that the graveſt *Magiſtrate* unto whom

whom you can commit the Sword of Juſtice, will find a quickneſſe in the ſpurrs of Honour, which if they be not laid unto virtue, will lay themſelves unto that which may rout a Common-wealth.

To come from the Face of the Senate, unto the Conſtitution and uſe of the parts: It is contained in the peculiar Orders. And the Orders which are peculiar unto the Senate, are either of Election, or Inſtruction. *Conſtitution of the* Senate.

Elections in the *Senate* are of three ſorts, *Annuall*, *Biennall*, and *Extraordinary*.

Annuall Elections are performed by the Schedule called the Tropick: and the Tropick, conſiſteth of two parts; the one containing the Magiſtrates; and the other the Councells, to be yearly elected. The Schedule or Tropick of the Magiſtrates, is as followeth in

The Fifteenth Order, requiring, That upon every Munday next enſuing the laſt of March, the Knights of the Annuall Gallaxy's **taking their places in the Senate be called the firſt Region of the ſame; and that the Houſe having diſmiſſed the third Region, and received the firſt, proceed unto Election of the Magiſtrates contained in the firſt part of the Tropick, by the enſuing Schedule,** 15. *Ord. Tropick of the* Magiſtrates:

The Lord Strategus.	*Annuall Magiſtrates.*
The Lord Orator.	
The firſt Cenſor.	
The ſecond Cenſor.	
The third Commiſſioner of the Seal.	*Trienniall Magiſtrates.*
The third Commiſſioner of the Treaſury.	

The Annuall Magiſtrates (provided that no one Man bear above one of thoſe Honours during the term of one Seſſion) may be elected out of any Region. But the Trienniall Magiſtrates may not be elected out of any other, then the third Region only, leſt the term of their Seſſion expire before that of their Honour; and (it being unlawful for any man to bear Magiſtracy any longer then he is thereunto qualified by the Election of the People) cauſe a fraction in the Rotation of this Common-wealth.

Of the Strategus.

The Stratêgus is first President of the Senate, and Generall of the Army if it be commanded to March; in which case there shall be a second Strategus elected to be first President of the Senate, and Generall of the second Army: and if this also be Commanded to March, a third Stratêgus shall be chosen; and so as long as the Commonwealth sendeth forth Armies.

Of the Orator.

The Lord Orator is second and more peculiar President of the Senate, unto whom it appertaineth to keep the House unto Orders.

Of the Censors.

The Censors, whereof the first by consequence of his Election is Chancellor of the University of Clio, and the second of that of Calliope; are Presidents of the Council for Religion and Magistrates, unto whom it belongeth to keep the House unto the order of the Ballot. They are also Inquisitors into the wayes and meanes of acquiring Magistracy; and have power to punish indirect proceeding in the same, by removing a Knight or Magistrate out of the House, under appeale unto the Senate.

Of the Commissioners. *of the* Seal.

The Commissioners of the Seale being three, whereof the third is annually chosen out of the third Region, are Judges in Chancery.

Of the Commissioners *of the* Treasury.

The Commissioners of the Treasury being three, whereof the third is annually chosen out of the third Region, are Judges in the Exchequer; and every Magistrate of this Schedule, hath right to propose unto the Senate.

Of the Signory.

But the Strategus with the six Commissioners are the Signory of this Common-wealth having right of Session and Suffrage in every Council of the Senate, and power either joyntly or severally, to propose in all or any of them.

I have little in this Order to observe or prove, but that the *Stratêgus* is the same honour both in name and thing that was borne, among others, by *Philopœnen* and *Aratus* in the Commonwealth of the *Achæans*; the like having been in use also with the *Ætolians* (*Quem ut Achæi Strategon nominabant*, saith *Emmius*.). The *Orator*, called otherwise the Speaker, is with small alteration the same that had been of former use in this Nation. These two, if you will, may be compared unto the *Consuls* in *Rome*, or the *Suffetes* in *Carthage*, for their Magistracy is scarce different.

The *Censors* derive their power of removing a *Senator*, from those of *Rome*; the Government of the Ballot, from those of *Venice*;

Venice; and that of animadverſion upon the *Ambitus*, or canvace for Magiſtracy, from both.

The *Signory* with the whole right and uſe of that Magiſtracy, to be hereafter more fully explained, is almoſt purely *Venetian*.

The ſecond part of the Tropick is directed by

The Sixteenth Order, whereby the conſtitution of the Councils, being foure, that is to ſay, the Council of State, the Council of Warre, the Council of Religion, and the Council of Trade; is rendred conformable in their Revolutions unto that of the Senate. As firſt, by the annuall election of five Knights, out of the third Region of the Senate, into the Council of State, conſiſting of fifteene Knights, five in every Region. Secondly by the annuall election of three Knights out of the third Region of the Council of State, to be propoſed by the Provoſts and elected by that Council, into the Council of Warr, conſiſting of nine Knights, three in every Region not excluded by this election from remaining members alſo, of the Council of State: the foure Tribunes of the people have right of Seſſion and Suffrage in the Councill of Warr. Thirdly by the annuall election of foure Knights out of the third Region of the Senate into the Council of Religion, conſiſting of twelve Knights, foure in every Region: of this Council, the Cenſors are Preſidents. Fourthly by the annuall election of foure Knights out of the third Region of the Senate, into the Counſil of Trade, conſiſting of twelve Knights, four in every Region. And each Region in every one of theſe Councils thus conſtituted, ſhall weekly and interchangeably elect one Provoſt, whoſe Magiſtracy ſhall continue for one weeke, nor ſhall he be re-elected into the ſame till every Knight of that Region in the ſame Council have once borne the ſame Magiſtracy. And the Provoſts being one in every Region, three in every Councill, and twelve in all, beſides their other Capacities, ſhall aſſemble and be a Council or rather an Academy apart, to certaine ends and purpoſes to be hereafter farther explained with thoſe of the reſt of the Councils.

16. *Ord. Conſtitution of the* Councils.

Of the Council *of* State.

Of the Council *of* Warr.

Of the Council of Religion.

Of the Council of Trade.

Of the Provoſts.

Of the Councill *of the* Provoſts.

This Order is of no other uſe then for the frame and turne of the Councils, and yet of no ſmall one: for in motion conſiſteth Life, and the motion of a *Common-wealth* will never be currant, unleſſe it be circular. Men that, like my Lord *Epimonus*, not enduring the reſemblance of this kind of Government unto Orbes and Spheres, fall on Phyſicking and purging of it, do no more then is neceſſary; for if it be not in Rotation

on both as to Persons and Things, it will be very sick. The People of *Rome*, as to Persons, if they had not been taken up by the wheele of Magistracy, had overturned the Charriot of the Senate. And those of *Lacedemon* as to Things, had not been so quiet when the Senate trasht their businesse, by incroaching upon the result, if by the institution of the *Ephors* they had not brought it about againe. So that if you allow not a *Common-wealth*, her Rotation, in which consists her equality, you reduce her to a party, and then it is necessary that you be Physitians indeed, or rather Farriers; for you will have strong Patients, and such as must be halterd and cast, or your selves may need bone-setters. Wherefore the Councils of this *Common-wealth*, both in regard of their Elections, and, as will be shewn, of their Affaires, are uniforme with the Senate in their Revolutions, not as Whirle-pits, to swallow, but to bite, and with the scrues of their Rotation, hold and turne a businesse like the Vice of a Smith, unto the hand of the Work-man; Without Engines of which nature it is not possible for the Senate, much lesse for the people, to be perfect Artificers in a Politicall capacity. But I shall not hold you longer from

17. *Ord. Constitution of the Biennial Election or Orbe of* Embassadors in ordinary.

The Seaventeenth Order, directing Biennial elections or the constitution of the Orbe of Embassadours in Ordinary, consisting of foure Residences, the Revolution whereof is performed in eight yeares, and preserved through the election of one Ambassadour in two yeares by the ballot of the Senate to repaire unto the Court of France **and reside there for the terme of two yeares; and the terme of two yeares being expired, to remove from thence unto the Court of** Spaine, **there to continue for the space of two yeares; and thence to remove unto the State of** Venice; **And after two yeares residence in that City, to conclude with his residence at** Constantinople, **for a like terme of time, and so to returne. A Knight of the Senate or a Deputy of the Prerogative may not be Elected Ambassadour in Ordinary, because a Knight or Deputy so chosen, must either lose his Section, which would cause an unevennesse in the motion of this Common-wealth, or accumulate Magistracy, which agreeth not with the equality of the same. Nor may any man be elected into this Capacity that is above five and thirty yeares of age, lest the Common-wealth lose the Charge of his education, by being deprived at his returne of the fruit of it, or else enjoy it not long, through the defects of nature.**

This Order is the perspective of the Common-wealth whereby she foreseeth danger; or the Traffick, whereby she receiveth

receiveth every two yeares the returne of a States-man enriched with eight years experience, from the prime *Martes* of Negotiation in *Europe*. And so much for the Elections in the Senate that are ordinary, such as are extraordinary follow in

The Eighteenth Order, appointing all Elections upon emergent occasions except that of the dictator to be made by the Scrutiny, or that kind of Election, whereby a Council comes to be a fifth Order of Electors. 18. *Ord. Constitution of Election* Extraordinary, *or by the* Scrutiny.

For example, if there be occasion of an Embassador Extraordinary, the Provosts of the Council of State, or any two of them shall propose unto the same, till one Competitor be chosen by that Council: and the Council having chosen a Competitor shall bring his name into the Senate, which in the usuall way shall choose foure more Competitors unto the same Magistracy; and put them with the Competitor of the Council, unto the Ballot of the House, by which he of the five that is chosen, is said to be elected by the Scruteny of the Council of State. A Vice-Admiral, a Polemarch, or Field-Officer shall be elected after the same manner, by the Scruteny of the Council of War. A Judge or Serjeant at Law by the Scruteny of the Commissioners of the Seale. A Baron, or considerable Officer of the Exchequer by the Scruteny of the Commissioners of the Treasury. Men in Magistracy, or out of it are equally capable of election by the Scruteny; But a Magistrate or Officer elected by the Scruteny unto a Military imployment; if he be neither a Knight of the Senate, nor a Deputy of the Prerogative ought to have his Office confirmed by the Prerogative, because the Militia in a Commonwealth, where the people are Soveraign, is not lawfull to be touched injussu Populi.

The Romans were so curious that though their Consuls were elected *Centuriatis*, they might not touch the Militia, except they were confirmed *Curiatis Comitiis*: for a *Ma*gistrate not receiving his power from the People, takes it from them; and to take away their Power is to take away their Liberty. As to the Election by the Scruteny it may be easily perceived to be Venetian, there being no such way to take in the knowledge, which in all reason must be best in every Council of such men as are most fit for their turnes, and yet to keepe them from the bias of particular affection or interest under that pretence: For the cause why the great Council, in *Venice* scarce ever elects any other then the Name that is brought in by the Scruteny, is very probable to be; that they may. This election is the last of those appertayning unto the Senate, the Councils

cils being choſen by the Orders already ſhewn; It remaineth that we come unto thoſe whereby they are inſtructed; and the Orders of Inſtruction unto the Councils are two; The firſt for the ſubject Matter, whereupon they are to proceed; and the ſecond, for the Manner of their proceeding. The ſubject matter of the Councils, is diſtributed unto them by

19. *Ord. Inſtructions for the* Councils *as to their* Subject Matter.

The Nineteenth Order, diſtributing unto every Council ſuch buſineſſes as are properly to belong unto their Cognizance, whereof ſome they ſhall receive and determine; And others they ſhall receive, prepare and introduce into the Houſe, as firſt,

For the Council *of* State.

The Council of State is to receive all Addreſſes, Intelligences and Letters of Negotiation; to give audience to Embaſſadors ſent unto, and to draw up Inſtructions for ſuch as ſhall be ſent by this Common-wealth; to receive propoſitions from, and hold intelligence with the Provinciall Councils; to conſider upon all Laws to be Enacted, amended, or Repealed; and upon all Leavies of men, or money, Warr, or Peace, Leagues or Aſſociations to be made by this Common-wealth, ſo farre forth as is conducible unto the orderly preparation of the ſame to be introduced by them into the Senate. Provided that all ſuch affaires, as otherwiſe appertayning unto the Council of State are, for the good of the Common-wealth, to be carryed with greater Secreſy, be mannaged by the Council of Warr, with power to receive and ſend forth Agents, Spys, Emiſſarys, Intelligencers, Frigots; And to mannage affaires of that nature, if it be neceſſary without communication unto the Senate, till ſuch time as it may be had without detriment unto the buſineſſe. But they ſhall have no power to engage the Common-wealth in a Warr, without the conſent of the Senate and the People. It appertaineth alſo unto this Council to take Charge of the Fleet as Admiral; and of all Store-Houſes, Armourys, Arſenalls, and Magazines appertayning unto this Common-wealth. They ſhall keep a diligent record of the Military expeditions from time to time reported by him that was Strategus or Generall, or one of the Polemarchs in that action; or at leaſt ſo farr forth as the experience of ſuch Commanders may tend unto the improvement of the Military diſcipline, which they ſhall digeſt, and introduce into the Senate: and if the Senate ſhall thereupon frame any Article, they ſhall ſee that it be obſerved in the Muſters or education of the Youth. And whereas the Council of Warr is the Centinel or Scout of this Common-wealth, if any Perſon or Per-

For the Council *of* War.

ions shall goe about to introduce Debate, into any Popular assembly of the same; or otherwise to alter the present Government, or strike at the root of it, they shall apprehend, or cause to be apprehended, seized, imprisoned; and examine, arraigne, acquit, or condemne, and cause to be executed any such Person, or Persons, of their proper Power and Authority, and without appeale.

For the Council *of* Religion.

The Council of Religion; as the Arbiter of this Common-wealth in cases of conscience more peculiarly appertayning unto Religion, Christian Charity, and a pious Life; shall have the care of the nationall Religion, and the protection of the Liberty of Conscience, with the Cognizance of all causes relating unto either of them. And first as to the Nationall Religion; They shall cause all places or preferments of the best Revenue in either of the Universities to be conferred upon none other then such of the most learned and pious men, as have dedicated themselves unto the study of Theology. They shall also take an especiall care that by such Augmentations as be, or shall hereafter be appointed by the Senate, every Benefice in this Nation be improved at the least unto the value of One hundred pounds a year. And to the end that there be no interest at all, whereby the Divines or Teachers of the National Religion, may be corrupted, or corrupt Religion, they shall be capable of no other kind of Imployment or Preferment in this Common-Wealth. And whereas a Directory for the administration of the Nationall Religion, is to be prepared by this Council, they shall in this and other Debates of this nature proceed in manner following: A question arising in matter of Religion shall be put and stated by the Council in writing; which Writing the Censors shall send by their Beadles (being Proctors chosen to attend them) each unto the University whereof he is Chancellor; and the Vice-Chancellor of the same receiving the writing, shall call a Convocation of all the Divines of that University being above fourty years of age; And the Universities upon a Point so proposed, shall have no manner of Intelligence or Correspondence one with another, untill their Debates be ended, and they have made return of their Answers unto the Council of Religion by two or three of their own Members, that may clear their sense if any doubt should arise, unto the Council; which done, they shall return, and the Council having received such information, shall proceed according unto their own Judgments, in the Preparation of the whole matter for the Senate. That so the interest of the Learned being removed, there may be a

right Application of Reason unto Scripture, which is the Foundation of the National Religion.

Secondly, this Council as to the Protection of the liberty of Conscience, shall suffer no coercive Power in the matter of Religion to be exercised in this Nation. The Teachers of the National Religion being no other then such as voluntarily undertake that calling; and their Auditors or Hearers, no other then are also voluntary. Nor shall any gathered Congregation be molested or interrupted in their way of Worship (being neither Jewish nor Idolatrous) but vigilantly, and vigorously protected and defended in the enjoyment practice and profession of the same. And if there be Officers, or Auditors appointed by any such Congregation, for the introduction of Causes into the Council of Religion, all such Causes so introduced shall be received, heard and determined by the same, (with recourse had if need be unto the Senate.)

Thirdly, every Petition addressed unto the Senate, except that of a Tribe shall be received, examined, and debated by this Council; and such only as they upon such examination and debate had shall think fit may be introduced into the Senate.

For the Council *of* Trade.

The Council of Trade being the Vena Porta of this Nation shall hereafter receive Instructions more at large: For the present, their experience attaining unto a right Understanding of those Trades, and Mysteries that feed the veins of this Common-wealth, and a true distinction of them from those that suck, or exhaust the same; they shall acquaint the Senate with the Conveniencies, and Inconveniencies, to the end that encouragement may be applyed unto the one, and remedy to the other.

For the Academy *of the* Provosts.

The Academy of the Provosts being the affability of the Common-wealth, shall assemble every day towards the evening in a fair Room, having certain withdrawing Rooms thereunto belonging. And all sorts of Company that will repair thither for Conversation, or discourse, so it be upon the matter of Government, News, or Intelligences, or to propose any thing unto the Councils, shall be freely and affably received in the Outer Chamber, and heard in the way of civil Conversation, which is to be managed without any other Awe or Ceremony, then thereunto is usually appertaining; to the end that every

every man may be free; and that what is proposed by one, may be argued or discoursed upon by the rest, except the matter be of secrecy; in which Case the Provosts, or some of them shall take such as desire Audience into one of the Withdrawing Rooms; And the Provosts are to give their minds, that this Academy be so governed, adorned, and preserved, as may be most attractive unto men of parts, and good Affections unto the Common-wealth, for the excellency of the Conversation.

Furthermore, If any man not being able or willing to come in Person, have any advice to give which he judgeth may be for the good of the Common-wealth, he may write his mind unto the Academy of the Provosts, in a Letter signed or not signed; which Letter shall be left with the Door-keeper of the Academy: Nor shall any Person delivering such a Letter be seized, molested, or detained, though it should prove to be a Libell: But the Letters so delivered shall be presented unto the Provosts; and in case they be so many that they cannot well be examined by the Provosts themselves, they shall distribute them as they please to be read by the Gentlemen of the Academy, who finding any thing in them material, will find matter of Discourse: Or if they happen upon a business that requires privacy return it with a note upon it unto a Provost. And the Provosts by the Secretaries attending shall cause such notes out of Discourses or Letters to be taken as they please, to the end that they may propose as occasion serveth what any two of them shall think fit, out of their notes so taken unto their respective Councils: to the end that not only the Ear of the Common-wealth be open unto all, but that men of such Education being in her Eye, She may upon emergent Elections or occasions, be always provided of her Choice of fit Persons.

For the Attendance of the Councils.

Every Council being adorned with a State for the Signory, shall be attended by two Secretaries, two Door-keepers, and two Messengers in ordinary, and have Power to Command more upon emergencies, as occasion requireth. And the Academy shall be attended with two Secretaries, two Messengers, and two Door-keepers; this with the other Councils being provided with their farther Conveniencies at the charge of the State.

For the Dictator.

But whereas it is incident unto Common-wealths upon Emergences, requiring extraordinary speed, or secrecy, either through

their natural delayes, or unnatural haste to incur equal danger: while holding unto the slow pace of their Orders they come not in time to defend themselves from some suddain blow; or breaking them for the greater speed, they but haste unto their own Destruction: If the Senate shall at any time make Election of nine Knights extraordinary to be added unto the Council of War, as a Juncta for the term of three moneths. The Council of War, with the Juncta so added, is for the term of the same; Dictator of Oceana having power to levy men and money to make War and Peace, as also to enact Lawes, which shall be good for the space of one year, (if they be not sooner repealed by the Senate and the People) and for no longer time, except they be confirmed by the Senate and the People. And the whole Administration of the Common-wealth for the term of the said three Moneths shall be in the Dictator; Provided, that the Dictator shall have no power to do any thing that tendeth not unto his proper end and institution; but all unto the Preservation of the Common-wealth as it is established; And, for the suddain restitution of the same unto the natural channel, and common course of Government. And all Acts, Orders, Decrees or Lawes of the Council of War with the Juncta, being thus created, shall be signed,

Dictator Oceanæ.

This Order of Instructions unto the Councils, being (as in a matter of that nature is requisite) very large, I have used my best skill to abbreviate, in such manner as might shew no more of it then is necessary unto the understanding of the whole; though as to the parts, or further duties of the Councils; I have omitted many things of singular use in a Common-wealth. But it was spoken to at the Council by the *Archon* in this manner:

My

My Lords, the Legiſlators,

YOur Councils (except the Dicta-tor *only) are proper and native Springs and Sources you ſee, which (hanging a few ſticks and ſtrawes, that, as leſſe conſiderable, would otherwiſe be more troubleſome, upon the banks of their peculiar channels) derive the full ſtream of buſineſſe into the* Senate, *ſo pure, and ſo far from the poſſibility of being troubled, or ſteined (as will undeniably appear by the Courſe contained in the enſuing Order) with any kind of private intereſt or partiality, that it ſhall never be poſſible for any Aſſemblie hearkening unto the advice or information of this or that worthy Member, either inſtructed upon his Pillow, or while he was making himſelf ready, or by the Petition or Ticket which he received at the* Door; *to have half the Security in his Faith, or advantage by his Wiſdome: Such a* Senate, *or* Council *being through the incertainty of the Winds, like a wave of the Sea; nor ſhall it otherwiſe mend the matter by flowing up into dry ditches, or referring Buſineſſes to be better examined by Committees, then to go farther about*

about with it to leſſe purpoſe; if it do not ebb back again with the more mudd in it. For in a Caſe referred to an occaſionall Committee, *of which any Member that is deſirous may get himſelf named, and to which no body will come, but either for the ſake of his Friend, or his own Intereſt; It fareth little better as to the Information of the* Senate, *then if it had been referred unto the Parties. Wherefore the* Athenians *being diſtributed into four Tribes, out of which by equall numbers they Annually choſe Four hundred men, called the* Senate *of the* Bean, *(becauſe the ballot at their Election was performed by the uſe of Beans) divided them by Fifties, into eight parts. And every Fifty in their turn; for one eight part of the year was a Council apart called the* Prytans: *the* Prytans *in their diſtinct Council receiving all Commers, and giving ear unto every Man that had any thing to propoſe concerning the Common-wealth, had power to debate and prepare all the Buſineſſes that were to be introduced into the Senate. The* Achæans *had ten ſelected Magiſtrates called the* Demiurgs, *conſtituting a* Council *apart called the* Synarchy, *which with the* Strategus *prepared*

all

all the Buſineſs that was introduced into their Senate: *But neither the* Senate *of the* Athenians, *nor of the* Achæans, *but would have wondred if a man ſhould have told them, that they had been to receive all Comers, and Diſcourſes to the end that they might refer them afterwards unto the* Prytans *or the* Synarchy: *much leſſe unto an occaſionall Committee, expoſed unto the catch that catch may, of the parties intereſted. And yet* Venice *in this (as in moſt of her Orders,) excells them all by the conſtitution of her* Councils, *that of the Colledge, and the other of the* Dieci. *The courſe of the Colledge is exactly deſcribed in the enſuing Order: And for that of the* Dieci *it ſo little differs from what it hath beſtowed upon our* Dictator, *that I need not to make any particular deſcription of it. But to* Dictatorian *power in general, and the uſe of it, becauſe it muſt needs be of difficult digeſtion unto ſuch as, peaking ſtill at ancient Prudence, ſhew themſelves to be in the Nurſery of Mother-wit; it is no leſs then neceſſary to ſay ſomething. And firſt, in a* Common-wealth *that is not wrought up, nor perfected, this Power will be of very frequent, if not continual uſe;*

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Wherefore it is ſaid more then once upon defects of the Government in the Book of Judges, That, in thoſe dayes there was no King in Iſrael; *Nor hath the Tranſlator (though for* no King, *he ſhould have ſaid* no Judge) *abuſed you ſo much; ſeeing that the* Dictator, (*and ſuch was the* Judge of Iſrael) *or the* Dictatorian Power *being in a ſingle Perſon, ſo little differs from* Monarchy, *which followed in that, that from the ſame cauſe there hath been no other effect in any* Common-wealth, *as in* Rome *was manifeſt by* Scylla *and* Cæſar, *who to make themſelves Abſolute or Soveraign, had no more to do, then to prolong their Magiſtracy; for* Dictatoris imperium quaſi Numen. *Nevertheleſs, ſo it is, that without this Power which is ſo dangerous, and ſubject to introduce* Monarchy, *a* Common-wealth *cannot be ſafe from falling into the like Diſſolution; For unleſs you have an Expedient in this Caſe of your own, and bound up by your providence from recoyling; Expedients in ſome Caſes you muſt not only have, but be beholding for them unto ſuch whom you muſt truſt at a pinch, when you have not leiſure to ſtand with them for Security; which will be a thouſand*

Livy.

ſand times more dangerous. And there can never be a Common-wealth otherwiſe then by the Order in debate wrought up unto that perfection; but this neceſsity muſt ſometimes happen in regard of her natural ſlowneſſe and openneſs, and the ſuddaineſs of Aſſaults that may be made upon her, as alſo the ſecreſie which in ſome caſes may be of abſolute neceſsity unto her affairs. Whence Machiavil *concludes it poſitively, That a Common-wealth unprovided of ſuch a Refuge, muſt ruine; for her courſe is either broken by the blow, in one of thoſe caſes; or by her ſelf, while it ſtartles her out of her Orders. And indeed a Common-wealth is like a* Grey-hound, *which having once coaſted, will never after run fair, but grow ſloathful; and when ſhe comes to make a common practice of taking nearer wayes then her orders, ſhe is diſſolved; for the being of a Common-wealth conſiſts in her Orders. Wherefore at this lift, you will be expoſed unto danger, if you have not provided before-hand for the ſafety of your reſort in like caſes: nor is it ſufficient that your reſort be ſafe, unleſs it be as ſecret, and quick; for if it be ſlow or open, your former inconveniences are not remedied. Now for our imitation*

n this part, there is nothing in experience like that of the Council *of Ten in* Venice; *the benefit whereof would be too long to be ſhewn in the whole Piece, and therefore I ſhall take but a pattern out of* Janotti: *In the War (ſaith he) which the* Venetians *had with* Florence *in* Caſentine, *the* Florentines *finding a neceſsity in their affairs far from any other inclination in themſelves to ask their* Peace, *ſent Ambaſsadours about it unto* Venice, *where they were no ſooner heard, then the bargain was ſtruck up by the Council of* Ten; *and every body admiring (ſeeing this Common-wealth ſtood upon the higher ground) what ſhould be the reaſon of ſuch haſte; the Council upon the return of the Embaſsadours imparted Letters unto the* Senate, *whereby it appeared, that the* Turk *had newly launched a formidable* Fleet *againſt their* State; *which had it been known to the* Florentines, *it was well enough known they would have made no* Peace: *Wherefore the ſervice of the Ten was highly applauded by the Senate, and celebrated by the* Venetians. *Whereby may appear, not only in part what uſe there is of* Dictatorian *Power in that* Government, *but that it is aſ-*

ſumed

ſumed at the diſcretion of that Council; *Whereas in this of* Oceana *it is no otherwiſe intruſted then when the* Senate, *in the Election of nine Knights extraordinary, giveth at once the Commiſsion, and taketh ſecurity in a ballance added unto the Council of War, though ſecurer before by the* Tribunes *of the* People, *then that of* Venice; *which yet never incurr'd* Jealouſie: *For if the younger Nobility have been often girding at it, that happened not ſo much through the apprehenſion of danger in it unto the Common-wealth, as through the Awe of it upon themſelves: Wherefore the Graver have doubtleſly ſhewn their* Prudence *in the Law: Whereby the Magiſtracy of theſe Counſellors being to laſt untill their Succeſſours be created, the Council is eſtabliſhed.*

The Inſtructions of the Councils for their Subject matter being ſhewn, it remaineth that I ſhew the Inſtructions for the manner of their proceeding, as they follow in

The Twentieth Order, Containing the Method of Debate, to be obſerved by the Magiſtrates, and the Councils, ſucceſſively, in order to a Decree of the Senate. 20. *Ord. Inſtructions for the* Councils *as to their Manner of Proceeding.*

The Magiſtrates of the Signory as Counſellors of this Common-wealth, ſhall take into their Conſideration all matter of State, or of Government; and having right to propoſe in any Council, May any one or more of them propoſe what Buſineſſe he or they pleaſe in that Council whereunto it moſt properly belongeth: And that the Councils may be held unto their duty, the ſaid Magiſtrates are ſuper-intendents

dents, and inspectors of the same, with right to propose unto the Senate.

The Censors have equall power with these Magistrates, but in relation unto the Council of Religion only.

Any two of the three Provosts in every Council may propose to, and are the more peculiar Proposers of the same Council; to the end that there be not only an inspection and super-intendency of Business in general, but that every work be also committed unto a peculiar hand.

Any one or more of the Magistrates, or any two of the Provosts respectively having proposed; the Council shall debate the business so proposed, to which they of the third Region that are willing shall speak first in their order; they of the second, next; and they of the third, last; and the opinions of those that proposed or spoke as they shall be thought the most considerable by the Council, shall be taken by the Secretary of the same in writing, and each of them signed with the name of the Authour.

The opinions being thus prepared, any Magistrate of the Signory, Censor, or any two of the Provosts of that Council, upon this occasion may assemble the Senate.

The Senate being assembled, the Opinions (for example, if they be four) shall be read in their Order, that is, according unto the order or dignity of the Magistrates or Counsellors by which they were signed. And being read, if any of the Council introducing them will speak, they as best acquainted with the Business, shall have precedence, and after them the Senators shall speak according unto their Regions, beginning by the third first, and so continuing till every man that will, have spoken: and when the opinions have been sufficiently debated, they shall be put altogether unto the Ballot after this manner.

Four Secretaries carrying each of them one of the opinions in one hand, with a white box in the other, and each following another, (according unto the order of the opinions) shall present his Box, naming the Author of his opinion unto every Senator; and one Secretary or Ballotine with a green Box shall follow the four white ones; and one Secretary of Ballotine with a red Box shall follow the green one: and every Senator shall put one Ball into some one of these six boxes. The Suffrage being gathered and opened before the Signory: If the red box or Non-liquet had above half the Suffrages, the opinions shall be all cast out, for the Major part of the House is not clear in the business.

ſineſſe. If no one of the four opinions had above half the Suffrages in the Affirmative, that which had feweſt ſhall be caſt out, and the other three ſhall be Ballotted again. If no one of the three had above half, that which had feweſt ſhall be caſt out, and the other two ſhall Ballotted again. If neither of the two had above half, that which had feweſt ſhall be caſt out, and the remaining opinion ſhall be Ballotted again. And if the remaining opinion have not above half, it ſhall alſo be caſt out. But the firſt of the opinions that arrives at moſt above half in the Affirmative is the Decree of the Senate. The opinions being all of them caſt out by the Non-cincer may be reviewʼd (if occaſion permit) by the Council, and brought in again. If they be caſt out by the Negative, the Caſe being of Advice only, the Houſe approveth not, and there is an end of it: the Caſe being neceſſary, and admitting delay, the Council is to think again upon the Buſineſſe, and to bring in new opinions; but the Caſe being neceſſary, and not admitting delay; the Senate forthwith electing the Juncta ſhall create the Dictator. (Et videat Dictator ne quid Reſp. detrimenti capiat.)

This in caſe the Debate conclude not in a Decree: but if a Decree be paſt, it is either in matter of State, or Government according to Law enacted already, and then it is good without going any farther: or it is in matter of Law to be enacted, repealed, or amended, and then the Decree of the Senate, eſpecially if it be for a War, or for a Levy of Men or Money, is invalid, without the reſult of the Common-wealth, which is in the Prerogative Tribe, or Repreſentative of the People.

The Senate having prepared a Decree to be propoſed unto the People, ſhall appoint their Propoſers: and no other may propoſe for the Senate unto the People but the Magiſtrates of the Houſe; that is to ſay, the three Commiſſioners of the Seal, or any two of them; the three of the Treaſury, or any two of them; or the two Cenſors.

The Senate having appointed their Propoſers, ſhall require of the Tribunes a muſter of the People at a ſet time and place: and the Tribunes, or any two of them having muſterʼd the People accordingly; the Propoſers ſhall propoſe the ſenſe or Decree of the Senate by Clauſes unto the People. And that which is propoſed by the Authority of the Senate, and reſolved by the Command of the People, is the Law of Oceana.

To

To this Order, implicitely containing the ſum very near of the whole civil part of the Common-wealth: My Lord *Archon* ſpoke thus in Councill:

My Dear Lords,

THere is a ſaying, That a man muſt cut his Coat according to his Cloth. When I conſider what God hath allow'd or furniſhed unto our preſent Work, I am amazed. You would have a Popular Government, He hath weighed it unto you in the preſent ballance as I may ſay to a dragme; you have no more to do, but to fix it. For the Superſtructures of ſuch a Government, they require a good *Ariſtocracy*: You have, or have had a Nobility or a Gentry the beſt ſtudied, and the beſt Writers, at leaſt next that of *Italy*, in the whole World; nor have they been inferiour when ſo exerciſed, in the leading of Armies. But the people are the main body of a Common-wealth; ſhew me (*à Gadibus uſq; Auroram et Gangem*) from the treaſuries of Snow (as it is in *Job*) unto the burning Zone, a people whoſe ſhoulders ſo univerſally and ſo exactly fit the Corſelet. Nevertheleſſe it were convenient, to be well provided with Auxiliaries: There is *Marpeſia* through her fruitfulneſſe inexhauſtible, of men, and men through her barrenneſſe not only inured unto hardſhip, but bucked in your Arms. It may be ſaid that *Venice*, ſave only that ſhe taketh not in the People, is the moſt incomparable Situation of a Common-wealth. You are *Venice* taking in your People and your Auxiliaries too. My Lords, the children of *Iſrael* were makers of brick, before they were builders of a Common-wealth: But our brick is made, our morter temper'd, the Cedars of *Lebanon* are hew'd and ſquared unto our hands. Hath this been the work of man? or is it in man to withſtand this work? *Shall he that contendeth with the Almighty inſtruct him? He that reproveth God, let him anſwer it.* For our parts, every thing is ſo laid, that when we come to have uſe of it, it is the next at hand; and unleſſe we can conceive that God and Nature do any thing in vain, there is no more

more for us to do, but to diſpatch. The Piece which we have reached to us in the foregoing Orders, is the *Ariſtocracy*. *Athens*, as hath been ſhewn, was plainly loſt through the want of a good Ariſtocracy: but the ſufficiency of an Ariſtocracy goes demonſtrably upon the hand of the Nobility or Gentry: for that the Politicks can be maſter'd without ſtudy, or that the people can have leiſure to ſtudy, is a vain imagination; and what kind of *Ariſtocracy*, Divines and Lawyers would make, let their incurable run upon their own narrow bias; and their perpetuall invectives againſt *Machiavill* (though in ſome places juſtly reproveable, yet the only Polititian, and incomparable Patron of the people) ſerve for inſtruction. I will ſtand no more unto the Judgment of Lawyers and Divines in this work, then unto that of ſo many other Tradeſmen; but if the Modell chance to wander abroad, I recommend it unto the *Roman Speculativi*, (*Garbatiſſimi Signori*) the moſt Compleat Gentleman of This Age; for their cenſure; or, with my Lord *Epimonus*'s his leave, ſend three or four hundred Copies unto the Agent at *Venice*, to be preſented unto the Magiſtrates there; and when they have conſidered them, to be propoſed unto the debate of the *Senate*, the moſt competent Judges under Heaven; who though they have great Affairs, will not refuſe to return you the Oracle of their Ballot. The Counſellours of Princes I will not truſt, they are but Journy-men. *The wiſdom of theſe later times in Princes Affairs* (ſaith *Verulamius*) *is rather fine deliveries and ſhiftings off dangers when they be near, then ſolid and grounded courſes to keep them aloof.* Their Counſellours do not derive their proceedings from any ſound root of Government, that may contain the demonſtration, and aſſure the ſucceſſe of them, but are expedient-mongers, givers of themſelves to help a lame dog over a ſtile; elſe how commeth it to paſſe, that the fame of Cardinal *Richelieu* hath been like thunder, whereof we hear the noiſe, but can make no demonſtration of the reaſon? But to return, if neither the People, nor Divines and Lawyers can be the *Ariſtocracy* of a Nation, there remains only the *Nobility*; in which ſtyle,

to

to avoid farther repetition, I ſhall underſtand the *Gentry* alſo; as the *French* do by the word *Nobliſſe*.

Now to treat of the *Nobility*, in ſuch ſort as may be leſſe obnoxious unto miſtake; it will be convenient, and reſponſible unto the preſent occaſion, that I divide my diſcourſe into four Parts.

The firſt treating of Nobility, *and the kinds of it.*

The ſecond, of their capacity of the Senate.

The third, of the divers kinds of Senates.

The fourth, of the Senate, *according unto the foregoing Orders.*

Nobility may be defined divers wayes, for it is either ancient riches, or ancient virtue, or title confer'd by a Prince or a Common-wealth.

Nobility of the firſt kind may be ſubdivided into two other, ſuch as hold an over-ballance in Dominion or Propriety unto the whole People; or ſuch as hold not an over-ballance. In the former Caſe a Nobility (ſuch was the *Gothicks*, of which ſufficient hath been ſpoken) is incompatible with popular Government; for unto popular Government it is eſſential, that power ſhould be in the people, but the overballance of a Nobility in Dominion, draweth the power unto themſelves; wherefore in this ſenſe it is that *Machiavill* is to be underſtood, where he ſaith, (*Queſti tali ſono pernitioſi in ogni Republica, & in ogni Provincia*); that theſe are pernicious in a Common-wealth; and of *France*, *Spain*, and *Italy*, that they are Nations (*lequali tutte inſcieme ſono la corruttela del mondo*) which for this cauſe are the corruption of the world: for otherwiſe

Nobility

Nobility may according unto his definition, which is, *That they are such as live upon their own revenues in plenty, without engagement either unto the tilling of their Lands, or other work for their livelihood*; hold an underballance unto the people: In which case they are not onely safe, but necessary unto the naturall mixture of a well-ordered Common-wealth. For how else can you have a Common-wealth that is not altogether Mechanick? or what comparison is there of such Common-wealths, as are or come neareſt to Mechanick; for example, *Athens*, *Switz*, *Holland*, unto *Lacedæmon*, *Rome*, and *Venice*, plumed with their *Ariſtocracies*. Your mechanicks, till they have firſt feather'd their neſts, like the Fowles of the Ayr, whoſe whole imployment is to ſeek their food, are ſo buſied in their private concernments, that they have neither leiſure to ſtudy the publick, nor are ſafely to be truſted with it, (*quia egeſtas haud facile habetur ſine damno*) becauſe a man is not faithfully imbarqued in this kind of ſhip, if he have no ſhare in the freight. But if his ſhare be ſuch as gives him leiſure by his private advantage, to reflect upon that of the Publick: what other name is there for this ſort of men (being *a leur ayte*) but (as *Machiavill* you ſee calls them) Nobility? eſpecially when their families come to be ſuch as are noted, for their ſervices done unto the Common-wealth, and ſo take into their ancient riches ancient virtue, which is the ſecond definition of Nobility, but ſuch an one as is ſcarce poſſible in nature without the former. *For as the Baggage* (ſaith *Verulamius*) *is to an Army; ſo are riches to Virtue; they cannot be ſpared nor left behind, though they be* impedimenta, *ſuch as not onely hinder the march, but ſometimes through the care of them loſe or diſturb the Victory.* Of this later ſort is the Nobility of *Oceana*; the beſt of all other, becauſe they having no ſtamp whence to derive their price, can have it no otherwiſe then by their intrinſick value. The third definition of *Nobility*, is Title, Honour, or Diſtinction from the people, conferr'd or allow'd by the Prince, or the Common-wealth; and this may be in two wayes, either without any ſtamp or priviledge as in *Oceana*, or with ſuch priviledges as

are inconſiderable, as in *Athens* after the battel of *Platea*, whence the Nobility had no right, as ſuch, but unto religious offices, or inſpection of the publick games, whereunto they were alſo to be elected by the *people*: or with priviledges, and thoſe conſiderable ones, as the *Nobility* in *Athens* before the battel of *Plateæ*, and the *Patricians* in *Rome*, each of which had right, or claimed it, unto the Senate and all the Magiſtracies; wherein for ſome time they only by their ſtamp were current.

But to begin higher, and ſpeak more at large of Nobility in their ſeveral capacities of the Senate; (*à Jove Principium*) The Phylarchs or Princes of the Tribes of *Iſrael*, were the moſt renowned; or, as the Latine, the moſt noble of the Congregation, (*Numb.* 1. 16.) whereof by hereditary right they had the leading, and judging. The Patriarchs or Princes of Families according as they declared their pedigrees, (*Numb.* 1. 18.) had the like right as to their Families; but neither in theſe nor the former was there any hereditary right unto the *Sanhedrim*; though there be little queſtion but the wiſe men, and underſtanding and known among their Tribes which the people took or elected into theſe or other Magiſtracies, and *Moſes* made Rulers over them, (*Deut.* 1. 13.) muſt have been of theſe, ſeeing theſe could not chooſe but be the moſt known among the Tribes, and were likelieſt by the advantages of education to be the moſt wiſe and underſtanding.

Solon having found the *Athenians* neither Locally nor Genealogically, but by their different wayes of life, divided into four Tribes, that is, into the Souldiery, the Tradeſmen, the Husbandmen, and the Goat-herds, inſtituted a new diſtribution of them, according unto the *Cenſe* or valuation of their Eſtates into four Claſſes; the firſt, ſecond, and third conſiſting of ſuch as were Proprietors in Land, diſtinguiſhed by the rate of their free-holds, with that ſtamp upon them, which making them capable of honour unto their riches, that is to ſay, of the Senate and all the Magiſtracies, excluded the fourth, being the body of the people, and far greater in number then

the

the former three, from other right as to thoſe capacities, then the election of theſe, who by this means became an hereditary *Ariſtocracy* or *Senatorian* Order of Nobility. This was that courſe which came afterwards to be the deſtruction of *Rome*, and had now ruin'd *Athens*; the Nobility, according to the inevitable nature of ſuch an one, having laid the plot how to devert the people of the reſult, and ſo to draw the whole power of the Common-wealth unto themſelves; which in all likelihood they had done: if the people, coming by meer chance to be victorious in the battel of *Plateæ*, and famous for defending *Greece* againſt the *Perſian*, had not returned with ſuch courage, as irreſiſtibly brake the Claſſes, unto which of old they had born a white tooth, brought the Nobility unto equall terms, and the Senate with the Magiſtracies to be common unto both; the Magiſtracies by Suffrage, and the Senate which was the miſchief of it, as I ſhall ſhew anon in that conſtitution, by lot only.

The *Lacedemonians* were in the manner, and for the ſame cauſe with the *Venetians* at this day, no other than *Nobility*, even according to the definition given of Nobility by *Machiavill*; for they neither exerciſed any Trade, nor labour'd their Lands or Lots, which was done by their Helots; wherefore ſome Nobility may be far from pernicious in a Common-wealth, by *Machiavill*'s own teſtimony, who is an admirer of this; though the ſervants thereof were more then the Citizens. To theſe ſervants, I hold the anſwer of *Lycurgus*, when he bad him who asked, why he did not admit the people unto the Government of his Common-wealth, go home and admit his ſervants unto the government of his Family, to relate; for neither were the *Lacedemonians* ſervants, nor farther capable of the Government, unleſſe, whereas the Congregation had the reſult, he ſhould have given them the debate alſo; every one of theſe that attained unto ſixty years of age, and the major vote of the Congregation, being equally capable of the *Senate*.

The Nobility of Rome and their capacity of the Senate, I have already described by that of *Athens*, before the battaile of *Plateæ*, save only that the Athenian was never eligible into the Senate without the suffrage of the people, till the introduction of the lot, but the Roman Nobility ever; for the patri- *Patricians* were elected into the Senate by the Kings, by the Consuls, or the Censors; or if a plebeian happened to be conscribed, he and his posterity became patrician: nor, though the people had many disputes with the Nobility, did this ever come in controversy, which if there had been nothing else might in my judgment have been enough to overturne that Commonwealth.

The *Venetian* Nobility, but that they are richer, and not military, resemble at all other points the *Lacedemonian*, as I have already shewn; these, *Machiavill* excepts from his rule, by saying, that their Estates are rather personal then real, or of any great revenue in Land: which comes unto our account, and shews, that a Nobility or party of the Nobility not overballancing in *Dominion*, is not dangerous, but of necessary use in every Common-wealth, provided that it be rightly ordered; for if it be so ordered as was that of *Rome*, though they do not overballance in the beginning, as they did not there, it will not be long ere they do, as is clear both in reason, and that experience towards the later end. That the Nobility be capable of the Senate, is there only not dangerous, where there be no other Citizens; as in this Government, and that of *Lacedemon*.

The *Nobility* of *Holland* and *Switz* though but few, have priviledges not only distinct from the people, but so great, that in some Soveraignties they have a Negative voice; an example which I am far from commending, being such as if those Governments were not Cantonized, divided and subdivided into many petty Soveraignties that ballance one another, and in which the Nobility except they had a Prince at the head of them, can never joyn to make work, would be the most dangerous

gerous that ever was; but the *Gothick*, of which it ſavours. For in ancient Common-wealths you ſhall never find a *Nobility* to have had a negative but by the pole, which, the people being far more in number, came to nothing; whereas theſe have it, be they never ſo few, by their ſtamp or order.

Ours of *Oceana*, have nothing elſe but their education and their leiſure for the publick, furniſhed by their eaſe and competent riches; and their intrinſick value, which according as it comes to hold weight in the Judgment or Suffrage of the People, is their only way unto honour and preferment: wherefore I would have your Lordſhips to look upon your Children as ſuch, who if they come to ſhake off ſome part of their baggage, ſhall make the more quick and glorious march: for it was nothing elſe but the baggage ſordidly plunder'd by the Nobility of *Rome*, that loſt the victory of the whole World in the midſt of her Triumph.

Having follow'd the Nobility thus cloſe, they bring us, according unto their natural courſe and divers kinds, unto the divers Conſtitutions of the Senate.

That of *Iſrael* (as was ſhew'd by my right noble Lord *Phoſphorus de Auge* in the opening of the Common-wealth) conſiſted of ſeventy Elders, elected at the firſt by the people; but whereas they were for life, they ever after (though without any Divine precept for it) ſubſtituted their Succeſſours by Ordination, which ceremony was moſt uſually performed by impoſition of hands, and by this means a Common-wealth of as popular inſtitution as can be found, became, as it is accounted by *Joſephus*, Ariſtocratical. From this ordination, deriveth that which was introduced by the Apoſtles into the Chriſtian Church; for which cauſe I think it is, that the *Presbyterians* would have the Government of the Church to be *Ariſtocraticall*; albeit the Apoſtles, to the end, as I conceive, that they might give no occaſion unto ſuch a miſtake, but ſhew, that they intended the Government of the Church to be popular, *Ordained Elders* (as hath been ſhewn) *by the hold-*

ing

ing up of hands (or free Suffrage of the people) *in every Congregation*, or *Eccleſia*; for that is the word in the Original, being borrow'd from the civil Congregations of the people in *Athens* and *Lacedemon*, which were ſo called; and the word for *holding up of hands* in the Text, is alſo the very ſame, which ſignified the Suffrage of the people in *Athens*, χειροτονουντες; and the Suffrage of the *Athenians* was given *per* χειροτονιαν, ſaith *Emmius*.

The Council of the Beans (as was ſhewn by my Lord *Navarchus de Paralo*, in his full diſcourſe) being the propoſing Senate of *Athens* (for that of the *Areopagites* was a Judicatory) conſiſted of four, ſome ſay five hundred Senators, elected annually, all at once, and by a meer lot without ſuffrage; wherefore albeit the *Senate*, to correct the temerity of the lot, had power to caſt out ſuch as they ſhould judge unworthy of that honour; this related to manners only, and was not ſufficient to repair the Common-wealth, which by ſuch means became impotent; and for as much as her Senate conſiſted not of the natural *Ariſtocracy*, which in a Common-wealth is the onely ſpur and rein of the people, was caſt headlong by the raſhneſſe of her Demagogs or Grandees into ruine; while her Senate, like the *Roman* Tribunes, *(qui ferè ſemper regebantur à multitudine magis quam regebant)* propoſed not unto the Reſult only, but unto the Debate alſo of the people, who were therefore called unto the Pulpits, where ſome vomited, and others drunk poiſon.

Livy.

The *Senate* of *Lacedemon* (moſt truly diſcover'd by my Lord *Laco de Scytale*) conſiſted but of 30 for life, whereof the two Kings having but ſingle votes, were hereditary, the reſt elective by the free Suffrage of the people, but out of ſuch as were ſixty years of age; theſe had the whole debate of the Common-wealth in themſelves, and propoſed unto the reſult only of the people: and now the riddle which I have heretofore found troubleſome to unfold, is out; that is to ſay, why *Athens* and *Lacedemon* conſiſting each of the *Senate* and the *People*, the one ſhould be held a *Democracy*, and the other an

Ariſtocracy,

Ariſtocracy, or laudable *Oligarchy*, as it is termed by *Iſocrates*; (for that word is not, where ever you meet it, to be branded, ſeeing it is uſed alſo by *Ariſtotle*, *Plutarch*, and others, ſometimes in a good ſenſe) The main difference was, that the people in this had the reſult only, and in that the debate and reſult too. But for my part, where the people have the election of the Senate, not bound unto a diſtinct order, and the reſult which is the Soveraign power, I hold them to have that ſhare in the Government, (the *Senate* being not for life) whereof, with the ſafety of the Common-wealth, they are capable in nature, and ſuch a Government for that cauſe to be *Democracy*; though I do not deny, but in *Lacedemon* the paucity of the Senators conſidered, it might be called *Oligarchy*, in compariſon of *Athens*; or, if we look upon their continuance for life, though they had been more, *Ariſtocracy*.

The *Senate* of *Rome* (whoſe fame hath been heard to thunder in the Eloquence of my Lord *Stolo de Enyo*) conſiſting of 300, was in regard of the number, leſſe *Oligarchicall* then that of *Lacedemon*, but more in regard of the *Patrician*, who having an hereditary capacity of the ſame were not elected unto that honour by the people: but being Conſcribed by the Cenſors, enjoy'd it for life: wherefore theſe if they had had their wills, would have reſolv'd as well as debated; which ſet the people at ſuch variance with them, as diſſolv'd the Common-wealth: whereas if the people had enjoy'd the reſult, as well that about the *Agrarian*, as all other ſtrife, muſt of neceſſity have ceaſed.

The Senates of *Switzs* and *Holland* (as I have learnt of my Lords *Alpeſter*, and *Glaucus*) being bound up, like the ſheaf of Arrowes which this gives, by leagues, lie like thoſe in their quivers; But Arrowes when they come to be drawn, fly ſome this way, and ſome that: and I am contented that theſe concern us not.

That of *Venice* (by the faithful teſtimony of my moſt excellent

lent Lord *Linceus de Stella*) hath obliged a world, ſufficiently puniſht by its own blindneſſe or ingratitude, to repent and be wiſer: for whereas a *Common-wealth* in which there is no Senate, or where the Senate is corrupt, cannot ſtand: the Great Council of *Venice* like the *Statua* of *Nilus*, leans upon an Urn or Water-pot, which poureth forth the Senate in ſo pure and perpetual a ſtream, as being unable to inſtagnate, is for ever uncapable of corruption. The fuller deſcription of this Senate is contained in that of *Oceana*; and that of *Oceana* in the foregoing Orders. Unto every one of which, becauſe ſomething hath been already ſaid, I ſhall not ſpeak in particular. But in general, your *Senate* (and the other Aſſembly, or the Prerogative, as I ſhall ſhew in due place) are perpetuall, not as Lakes or Puddles, but as the Rivers of *Eden*; and are beds made, as you have ſeen, to receive the whole people, by a due and faithful Viciſſitude into their current. They are not, as in the later way, alternate. Alternate life in Government, is the alternate death of it.

Ut fratrem Pollux alterna morte redemit.

This was the *Gothick* Work, whereby the former Government was not only a ſhip, but a guſt too; could never open her ſailes, but in danger to overſet her ſelf: neither make any Voyage, nor lye ſafe in her own Harbour. The Wars of later Ages (ſaith *Verulamius*) ſeem to be made in the dark, in reſpect of the glory and honour, which reflected upon men from the Wars in ancient times. Their ſhipping of this ſort was for Voyages, ours dare not launch: nor lye they ſafe at home. Your *Gothick* Polititians ſeem unto me rather to have invented ſome new ammunition, or Gunpowder, in their King and Parliament (*duo fulmina belli*) then Government. For what is become of the Princes (a kind of people) in *Germany*? blown up. Where are the Eſtates, or the Power of the people in *France*? blown up. Where is that of the people in *Aragon*, and the reſt of the *Spaniſh* Kingdoms? blown up. On the other

other ſide, where is the King of *Spain*'s power in *Holland*? blown up. Where is that of the *Auſtrian* Princes in *Switz*? blown up. This perpetual peeviſhneſſe and jealouſie, under the alternate Empire of the Prince and of the People, is obnoxious unto every Spark. Nor ſhall any man ſhew a reaſon that will be holding in prudence, why the people of *Oceana* have blown up their King, but that their Kings did not firſt blow up them: The reſt is diſcourſe for Ladies. Wherefore your Parliaments are not henceforth to come out of the bag of *Æolus*, but by the *Gallaxy's*, to be the perpetual food of the fire of *Veſta*.

Your Gallaxy's which divide the Houſe into ſo many Regions are three, one of which conſtituting the third region is annually choſen, but for the term of three years; which cauſeth the houſe having blooms, fruit half ripe, and others droping off in full maturity, to reſemble an Orange-Tree: ſuch as is at the ſame time an education or ſpring, and an harveſt too; for the people have made a very ill choice in the man, who is not eaſily capable of the perfect knowledge in one year of the Senatorian Orders; which knowledge allowing him for the firſt to have been a Novice, brings him the ſecond year unto practice, and time enough; for at this rate you muſt alwaies have two hundred knowing men in the Government: and thus the viciſſitude of your Senators is not perceiveable in the ſteddineſſe and perpetuity of your Senate, which, like that of *Venice*, being alwaies changing, is for ever the ſame: and though other Polititians have not ſo well imitated their pattern, there is nothing more obvious in nature, ſeeing a man who wears the ſame fleſh but a ſhort time, is nevertheleſſe the ſame man, and of the ſame Genius; and whence is this but from the conſtancy of nature in holding a man unto her Orders? Wherefore hold alſo unto your Orders; but this is a mean requeſt, your Orders will be worth little, if they do not hold you unto them: wherefore imbarque. They are like a ſhip, if you be once aboard, you do not carry them, but they you;

and ſee how *Venice* ſtands unto her tacklin, you will no more forſake them, then you will leap into the Sea.

But they are very many, and difficult. O my Lords, what Seaman caſts away his Carde becauſe it hath four and twenty points of Compaſſe? and yet thoſe are very near as many, and as difficult as the Orders in the whole Circumference of your Common-wealth. Conſider; how have we been toſſed with every wind of Doctrine, loſt by the glib tongues of your Demagogs and Grandees in our own Havens? A Company of Fidlers that have diſturbed your reſt for your groat; two to one, three thouſand pounds a year to another, hath been nothing: and for what? is there one of them that yet knowes what a Common-wealth is? And are you yet afraid of ſuch a Government in which theſe ſhall not dare to ſcrape, for fear of the Statute? *Themiſtocles* could not fiddle, but could make of a ſmall City a great Common-wealth: theſe have fiddled, and for your money, till they have brought a great Common-wealth to a ſmall City.

It grieves me, while I conſider how, and from what cauſes, imaginary difficulties will be aggravated, that the foregoing Orders are not capable of any greater clearneſſe in diſcourſe or writing: But if a man ſhould make a book, deſcribing every trick or paſſage, it would fare no otherwiſe with a game at Cards; and this is no more, if a man play upon the ſquare. *There is a great difference* (ſaith *Verulamius*) *between a cunning man and a wiſe man,* (between a Demagog and a Legiſlator) *not onely in point of honeſty, but in point of ability: As there be that can pack the Cards, and yet cannot play well; ſo there be ſome that are good in canvaſſes and factions, that are otherwiſe weak men.* Allow me but theſe Orders, and let them come with their Cards in their ſleeves, or pack if they can. *Again,* (ſaith he) *it is one thing to underſtand perſons, and another to underſtand matters; for many are perfect in mens humours, that are not greatly capable of the reall part of buſineſſe: which is the conſtitution of one that hath ſtudied men, more then books: but there is nothing more*

hurtful

hurtfull in a State, than that cunning men paſſe for wiſe. His words are an Oracle: As *Dionyſius*, when he could no longer exerciſe his tyranny among men, turned School-maſter, that he might exerciſe it among boyes: Allow me but theſe Orders, and your Grandees ſo well skilled in the baites and palates of men, ſhall turn Rat-catchers.

And whereas *Councils* (as is diſcreetly obſerved by the ſame Authour in his time) *are at this day, in moſt places but familiar meetings*, (ſomewhat like the Academy of Provoſts) *where matters are rather talked on then debated; and run too ſwift to order an Act of Council*: Give me my Orders, and ſee if I have not traſhed your Demagogs.

It is not ſo much my deſire to return upon haunts, as theirs that will not be ſatisfied; wherefore if notwithſtanding what was ſaid of dividing and chooſing in our Preliminary diſcourſes, men will yet be returning unto the queſtion, Why the Senate muſt be a Council apart; though even in *Athens*, where it was of no other conſtitution then the Popular Aſſembly, the diſtinction of it, from the other, was never held leſſe then neceſſary: this may be added unto the former reaſons, that if the *Ariſtocracy* be not for the Debate, it is for nothing; but if it be for the Debate, it muſt have convenience for it: and what convenience is there for debate in a crowd, where there is nothing but joſtling, treading upon one another, and ſtirring of blood, than which in this caſe there is nothing more dangerous? Truly, it was not ill ſaid of my Lord *Epimonus*, That *Venice* playes her Game as it were at billiards or nine-holes; and ſo may your Lordſhips, unleſſe your ribs be ſo ſtrong, that you think better of football; for ſuch ſport is debate in a Popular Aſſembly, as, notwithſtanding the diſtinction of the Senate, was the deſtruction of *Athens*.

This *Speech* concluded the Debate which happened at the Inſtitution of the *Senate*: the next Aſſembly is that of the People, or Prerogative Tribe.

The Face of the Prerogative Tribe.

The Face, or nime of the Prerogative Tribe for the Arms, the Horſes, and the Diſcipline, but more eſpecially for the ſelect

lect Men, is that of a very noble Regiment, or rather of two; the One of Horſe, divided into three Troops, (beſides that of the Provinces, which will be ſhewn hereafter) with their Captains, Cornets, and two Tribunes of the Horſe at the head of them. The other of Foot in three Companies (beſides that of the Provinces) with their Captains, Enſigns, and two Tribunes of the Foot at the head of them. The firſt Troop is called the *Phœnix*; the ſecond the *Pelican*; and the third the *Swallow*. The firſt Company the *Cypreſſe*; the ſecond, the *Mirtle*; and the third the *Spray*. Of theſe again, (not without a near reſemblance of the *Roman* Diviſion of a Tribe) the *Phœnix* and the *Cypreſſe* conſtitute the firſt Claſſis; the *Pelican* and the *Myrtle*, the ſecond; and the *Swallow* with the *Spray* the third, renewed every Spring by

21. *Ord. The change, or Election of the* Triennial Officers *of the* Prerogative.

The One and Twentieth Order, Directing, that upon every Monday next enſuing the laſt of March, the Deputies of the annuall Gallary arriving at the Pavilion in the Halo, **and electing one Captain and one Cornet of the** Swallow (**Triennial Officers**) **by and out of the Cavalry at the Horſe Urn, according unto the Rules contained in the Ballot of the Hundred: And one Captain with one Enſign of the** Spray (**Triennial Officers**) **by and out of the Infantry at the Foot Urn, after the ſame way of ballotting: Conſtitute and become the third Claſſis of the Prerogative Tribe.**

Seven Deputies are annually returned by every Tribe, whereof three are Horſe, and four are Foot; and there be fifty Tribes, ſo the *Swallow* muſt conſiſt of 150 Horſe, the *Spray* of 200 Foot; and the reſt of the Claſſes being two, each of them in number equal; the whole Prerogative (beſides the Provinces, that is, the Knights and Deputies of *Marpeſia* and *Panopea*,) muſt conſiſt of 1050 Deputies, It is right. And theſe Troops and Companies may as well be called Centuries as thoſe of the *Romans*, for the *Romans* related not, in ſo naming theirs, unto the number: And whereas they were diſtributed according unto the valuation of their Eſtates, ſo are theſe; which by virtue of the laſt Order, are now accommodated with their Triennial Officers; but there be others appertaining unto this Tribe, whoſe Election being of far greater Importance is Annual, as followeth in

22. *Ord. The Change, or Election of the* Annual Magiſtrates *of the* Prerogative.

The Twenty ſecond Order; Whereby the firſt Claſſis having Elected their Triennial Officers, and made Oath unto the Old Tribunes, That they will neither introduce, cauſe, nor to their power ſuffer debate to be introduced into any popular Aſſembly of this Government,

vernment, but to their utmoſt be ayding and aſsiſting to ſeize and deliver any Perſon or Perſons in that way offending and ſtriking at the Root of this Common-wealth unto the Councill of War; are to proceed with the other two Claſſes of the Prerogative Tribe to Election of the New Tribunes, being four Annual Magiſtrates, whereof two are to be elected out of the Cavalry at the Horſe-Urn, and two out of the Infantry at the Foot-Urn, according unto the Common ballot of the Tribes: And they may be promiſcuouſly Choſen out of any Claſſis, provided that the ſame Perſon ſhall not be capable of bearing the Tribunitian Honour twice in the term of one Gallary. The Tribunes thus choſen ſhall receive the Tribe (in reference to the power of Muſtering and Diſciplining the ſame) as Commanders in Chief: and for the reſt as Magiſtrates, whoſe proper function is preſcribed by the next Order. The Tribunes may give leave unto any number of the Prerogative not exceeding one hundred at a time, to be abſent, ſo they be not Magiſtrates, nor Officers, and return within three moneths; If a Magiſtrate or Officer, have neceſſary occaſion, he may alſo be abſent for the ſpace of one moneth: provided that there be not above three Cornets or Enſigns, two Captains or one Tribune ſo abſent at one time.

To this the *Archon* ſpoke at the Inſtitution, after this manner:

My Lords,

IT is affirmed by *Cicero* in his Oration for *Flaccus*, That the Common-wealths of *Greece* were all ſhaken or ruined by the intemperance of their *Comitia*, or Aſſemblies of the People. The truth is, if good heed in this point be not taken, a *Common-wealth* will have bad Leggs. But all the World knowes he ſhould have excepted *Lacedemon*, where the People (as hath been ſhewn by the *Oracle*) had no power at all of Debate, nor (till after *Lyſander*, whoſe Avarice opened a Gulph, that was not long ere it ſwallowed up his Country) came it ever to be exerciſed by them: Whence that Common-wealth ſtood longeſt and firmeſt of any other, but this, in our dayes, of *Venice*; which having underlaid her Self with the like In-

ſtitution

ſtitution, owes a great, if not the greateſt part of her ſteadineſſe unto the ſame principle; the great Council, which is with her the People, by the Authority of my Lord *Epimonus*, never ſpeaking a word. Nor ſhall any Common-wealth where the People in their political capacity is talkative, ever ſee half the dayes of one of theſe: But being carried away by Vain-glorious Men (that, as *Overbury* ſayes, Piſſe more then they drink) Swim down the ſink; as did *Athens*, the moſt prating of theſe *Dames*, when that ſame ranting fellow *Alcibiades* fell on Demagoging for the *Sicilian* War. But whereas Debate by the Authority and experience of *Lacedemon* and *Venice*, is not to be committed unto the People in a well ordered Government; It may be ſaid, That the Order ſpecify'd is but a ſlight barre in a matter of like danger; For ſo much as an Oath, if there be no recourſe upon the breach of it, is a weak tye for ſuch hands as have the Sword in them. Wherefore what ſhould hinder the People of *Oceana* if they happen not to regard an Oath, from aſſuming Debate, and making themſelves as much an *Anarchy* as thoſe of *Athens*? To which I anſwer, Take the Common ſort in a private Capacity, and except they be injured, you ſhall find them to have (*Verecundiam Patrum*) a baſhfulneſſe in the preſence of the better ſort, or wiſer Men; acknowledging their abilities by attention; and accounting it no mean Honour to receive reſpect from them. But if they be injured by them, they hate them, and the more for being wiſe, or great, becauſe that makes it the greater injury. Nor refrain they in this Caſe from any kind of intemperance of ſpeech, if of Action. It is no otherwiſe with a People in their political Capacity; You ſhall never find that they have aſſum'd Debate for it ſelf, but for ſomething elſe: Wherefore in *Lacedemon* where there was, and in *Venice* where there is, nothing elſe for which they ſhould aſſume it, they have never ſhewn, ſo much as an inclination to it. Nor was there any appearance of ſuch a deſire in the People of *Rome*, (who from the time of *Romulus* had been very well

well contented with the Power of Result either *Comitiis Curiatis*, as it was settled upon them by him; or *Centuriatis*, as it was alter'd in their regard for the worse by *Servius Tullius*) till news was brought some fifteen years after the exile of *Tarquine* their late King (during which time, the Senate had governed passing well) that he was dead at the Court of *Aristodemus* the Tyrant of *Cumæ*. (*Eo nuncio erecti patres, erecta Plebs. Sed Patribus nimis luxuriosa ea fuit lætitia: Plebi, cui ad eam diem summâ ope inservitum erat, injuriæ à Primoribus fieri cœpêre*) Whereupon the *Patricians*, or Nobility began to let out the hitherto dissembled Venom, which is inherent in the root of *Oligarchy*, and fell immediately upon injuring the People beyond all moderation: For whereas the People had served both gallantly and contentedly in Arms, upon their own Charges, and though joynt Purchasers by their Swords of the conquer'd Lands, had not participated in the same, to above two Acres a man, the rest being secretly usurped by the *Patricians*: they through the meanness of their support, and the greatness of their expence, being generally indebted, no sooner returned home with Victory to lay down their Arms, then they were snatcht up by their Creditors the Nobility, to cram Goales: Whereupon (but with the greatest modesty that was ever known in the like case) they first fell upon debate (*Se foris pro libertate & imperio dimicantes, domi à civibus captos & oppressos esse: tutioremq; in bello quam in pace, inter hostes quam inter cives, libertatem plebis esse*): It is true, that when they could not get the Senate (through fear, as was pretended by the *Patricians*) to assemble and take their grievances into Consideration, they grew so much warmer, that it was glad to meet: Where *Ap. Claudius*, a fierce Spirit, was of opinion, That recourse should be had unto Consular power, whereby some of the brands of Sedition being taken off, the flame might be extinguisht: *Servilius* being of another temper, thought it better and safer to try if the People might be bow'd, than broken. But this debate was interrupted by tumultuous news of the near approach, *Liv. l. 2.*

approach of the *Volſci*, a caſe in which the Senate had no recourſe but to the People, who contrary unto their former cuſtom upon like occaſions would not ſtir afoot, but fell on laughing, and ſaying, (*Patres militarent patres arma caperent, ut penes eoſdem pericula belli, penes quos præmia, eſſent*) Let them fight that have ſomething to fight for. The Senate that had purſes, and could not ſing ſo well before the Thief, being in great perplexity, found no poſſible way out of it, but to beſeech *Servilius*, one of a Genius well known to be Popular, That he would accept of the Conſulſhip, and make ſome ſuch uſe of it as might be helpful to the *Patrician* intereſt. *Servilius* accepting of the offer, and making uſe of his Intereſt with the people, perſwaded them to hope well of the good intention of the Fathers, whom it would little beſeem to be forced unto thoſe things which would loſe their Grace, and that in view of the enemy, if they came not freely; and withall publiſhed an Edict, That no man ſhould with-hold a Citizen of *Rome* by Impriſonment from giving his Name (for that was the way, as I ſhall have opportunity hereafter to ſhew more at large, whereby they drew out their Armies) nor ſeize, nor ſell any Mans Goods or Children that was in the Camp; Whereupon the people with a mighty Concourſe immediately took Arms, marched forth, and (which to them was as eaſie as to be put into the humour, and that as appears in this place was not hard) totally defeated the *Volſci* firſt, then the *Sabines*, (for the neighbour Nations, hoping to have had a good bargain of the Diſcord in *Rome* were up on all ſides) and after the *Sabines*, the *Aurunci*. Whence returning victorious in three Battels, they expected no leſſe then that the Senate would have made good their Words. When *Appius Claudius* the other Conſul of his innate Pride, and that he might fruſtrate the faith of his Collegue, cauſed the Souldiers (who being ſet at liberty had behaved themſelves with ſuch valour) to be reſtored at their return unto their Creditors, and their Gaoles. Great reſort upon this was made by the People unto *Servilius*, ſhewing him their Wounds, calling him to witneſſe

witneſſe how they had behaved themſelves, and minding him of his promiſe. Poor *Servilius* was ſorry, but ſo over-aw'd with the headineſſe of his Collegve, and the obſtinacy of the whole faction of the Nobility; that not daring to do any thing either way, he loſt both Parties: the Fathers conceiving that he was Ambitious, and the People that he was Falſe: while the Conſul *Claudius* continuing to countenance ſuch as daily ſeized and impriſoned ſome of the indebted People, had ſtill new, and dangerous Controverſies with them, inſomuch that the Common-wealth was torn with horrid Diviſion, and the People (becauſe they found it not ſo ſafe, or ſo effectual in Publique) minded nothing but laying their heads together in private Conventicles. For this *A. Virginius*, and *Titus Vetuſius* the new Conſuls were reproved by the Senate as ſlothfull, and upbraided with the Virtue of *Ap. Claudius*. Whereupon the Conſuls having deſired the *Senate*, that they might know their pleaſure, ſhewed afterwards their readineſſe to obey it, by ſummoning the People according unto command, and requiring Names whereby to draw forth an Army for diverſion, but no man would anſwer. Report hereof being made unto the *Senate*, the younger ſort of the Fathers grew ſo hot with the Conſuls, that they deſired them to abdicate the Magiſtracy, which they had not the courage to defend.

The Conſuls, though they conceived themſelves to be roughly handled, made this ſoft Anſwer: *Fathers Conſcript*, that you may pleaſe to take notice it was foretold, ſome horrid Sedition is at hand: We ſhall onely deſire, that they whoſe valour in this place is ſo great, may ſtand by us to ſee how we behave our Selves, and then be as reſolute in your Commands as you Will: Your Fatherhoods may know if we be wanting in the performance.

At this, ſome of the hot bloods returned with the Conſuls unto the Tribunal, before which the People were yet ſtanding, and the Conſuls having generally required Names, in vain, (to put it unto ſomething) required the name of one that was in their eye particularly; on whom, when he moved not,

they commanded a *Lictor* to lay hands; but the People thronging about the party ſummon'd, forbad the *Lictor* who durſt not touch him; at which the Hot-ſpurs that came with the Conſuls, enraged by the affront, deſcended from the Throne to the ayd of the *Lictor*; from whom in ſo doing they turned the indignation of the People upon themſelves with ſuch heat, that the Conſuls interpoſing, thought fit by remitting the Aſſembly, to appeaſe the Tumult; in which nevertheleſſe there had been nothing but noiſe. Nor was there leſſe in the *Senate*, being ſuddainly rally'd upon this occaſion, where they that received the Repulſe, with others, whoſe heads were as addle as their own, fell upon the buſineſſe as if it had been to be determined by Clamour, till the Conſuls, upbraiding the Senate, that it differ'd not from the Market-place, reduced the Houſe unto Orders: And the Fathers having been conſulted accordingly, there were three Opinions. *P. Virginius* conceived, that the Conſideration to be had upon the matter in queſtion, (or ayd of the indebted and impriſon'd people) was not to be farther extended then unto ſuch as had engaged upon the promiſe made by *Servilius*: *T. Largius*, that it was no time to think it enough, if mens merits were acknowledged, while the whole People, ſunk under the weight of their debts, could not emerge without ſome commmon ayd; which to reſtrain by putting ſome into a better Condition then others, would rather more inflame the Diſcord then extinguiſh it. *Ap. Claudius* (ſtill upon the old haunt) would have it, That the People were rather wanton then fierce: It was not oppreſſion that neceſſitated, but their Power that invited them unto theſe Freaks; the Empire of the Conſuls ſince the Appeal unto the People (whereby a plebeian might ask his Fellowes if he were a Thief) being but a meer Scar-crow. Go to, (ſayes he) Let us create the *Dictator*, from whom there is no appeal, and then let me ſee more of this Work; or him that ſhall forbid my *Lictor*. The advice of *Appius* was abhorr'd by many, and to introduce a general Reciſion of Debts with *Largius*, was to violate

violate all Faith: That of *Virginius* as the moſt moderate would have paſt beſt, but that there were private Intereſts (that ſame bane of the Publique) which withſtood it; So they concluded with *Appius*; who alſo had been *Dictator*, if the Conſuls and ſome of the graver ſort had not thought it altogether unſeaſonable, at a time when the *Volſci* and the *Sabins* were up again, to venture ſo far upon Alienation of the People; for which cauſe *Valerius*, being deſcended from the *Publicola's*, the moſt Popular Family, as alſo in his own perſon of a mild nature, was rather truſted with ſo rigid a Magiſtracy. Whence it happened, that the People, though they knew well enough againſt whom the *Dictator* was created, feared nothing from *Valerius*; But upon a new promiſe made to the ſame effect with that of *Servilius*, hoped better another time, and throwing away all Diſputes, gave their Names roundly, went out, and (to be brief) came home again as Victorious as in the former Action, the *Dictator* entring the City in Triumph. Nevertheleſſe when he came to preſſe the *Senate*, to make good his promiſe, and do ſomething for the eaſe of the People, they regarded him no more as to that point then they had done *Servilius*. Whereupon the *Dictator*, in diſdain to be made a ſtale, abdicated his Magiſtracy, and went home. Here then was a Victorious Army without a Captain, and a *Senate* pulling it by the beard in their Gowns. What is it (if You have read the Story, for there is not ſuch another) that muſt follow? Can any Man imagine, that ſuch only ſhould be the opportunity upon which this People could run away! Alas, poor men, the *Æqui* and the *Volſci*, and the *Sabines* were nothing, but the Fathers invincible! There they ſate ſome three hundred of them armed all in Robes, and thundring with their Tongues; no hopes in the earth to reduce them unto any tolerable Conditions: Wherefore, no thinking to abide long ſo near them; away marches the Army, and encamps in the Fields. This Retreat of the People is called the *Seceſſion* of *Mount Aventine*, where they lodged, very ſad at their Condi-

tion, but not letting fall ſo much as a word of Murmur againſt the Fathers. The Senate by this time were great Lords, had the whole City unto themſelves; but certain Neighbours were upon the way that might come to ſpeak with them, not asking leave of the Porter. Wherefore their minds became troubled, and an Orator was poſted unto the People to make as good Conditions with them as he could; but, whatever the terms were, to bring them home, & with all ſpeed: And here it was covenanted between the Senate, and the People, That theſe ſhould have the Magiſtrates of their own Election, called the *Tribunes*; upon which they returned.

To hold you no longer, the *Senate* having done this upon neceſſity, made frequent attempts to retract it again; while the Tribunes on the other ſide, to defend what they had gotten, inſtituted their *Tributa Comitia*, or *Councill* of the People; where they came in time, and as diſputes increaſed, to make Lawes without the Authority of the Senate, called *Plebiſcita*: Now to conclude in the Point at which I drive; ſuch were the ſteps whereby the People of *Rome* came to aſſume Debate: nor is it in Art or Nature to debarre a People of the like effect, where there is the like cauſe: For *Romulus* having in the Election of his Senate ſquared out a Nobility for the ſupport of a Throne, by making that of the *Patricians* a diſtinct and hereditary Order, planted the Common-wealth upon two contrary Intereſts, or Roots, which ſhooting forth in time produced two Common-wealths, the one *Oligarchical* in the Nobility, and the other a meer *Anarchy* of the People, which thenceforth cauſed a perpetual feud and enmity between the Senate and the People, even to death.

There is not a more noble, or uſefull queſtion in the Politicks, then that which is ſtarted by *Machiavil*, Whether means were to be found whereby the Enmity that was between the Senate and the people of *Rome*, might have been removed. Nor is there any other in which we, or the preſent occaſion, are ſo much concerned, particularly in relation unto this Author; For as much as his Judgment in the determination of the

the queſtion ſtanding, our Common-wealth falleth. And he that will erect a Common-wealth againſt the Judgment of *Machiavill*, is obliged to give ſuch reaſons for his enterprize as muſt not go on begging. Wherefore to repeat the Polititian very honeſtly, but ſomewhat more briefly: He diſputes thus;

There be two ſorts of Common-wealths, *the one for Preſervation, as* Lacedemon *and* Venice. *The other for Encreaſe, as* Rome. Mach. *diſc.* B. 1. C. 6.

Lacedemon *being governed by a King and a ſmall Senate, could maintain it ſelf a long time in that Condition, becauſe the Inhabitants, being few, having put a bar upon the reception of Strangers, and living in ſtrict obſervation of the Lawes of* Lycurgus, *which now had gotten reputation, and taken away all occaſion of Tumults, might well continue long in Tranquillity: For the Lawes of* Lycurgus *introduced a greater equality in Eſtates, and a leſs equality in Honours; whence there was equall Poverty, and the Plebeians were leſſe Ambitious, becauſe the Honours, or Magiſtracies of the City could extend but unto a few; and were not communicable unto the People; nor did the Nobility by uſing them ill, ever give them a deſire to participate of the ſame: This proceeded from the Kings, whoſe Principality being placed in the midſt of the Nobility, had no greater means whereby to ſupport it ſelf, then to ſhield the People from all Injury; whence the People not fearing Empire, deſired it not. And ſo all occaſion of enmity between the Senate and the People was barr'd. But this union happened eſpecially from two cauſes, the one, that the Inhabitants of* Lacedemon *being few, could be govern'd by the Few. The other, that not receiving Strangers into their Common-wealth, they did not corrupt it, nor increaſe it, unto ſuch a Proportion as was not governable by the Few.*

Venice *hath not divided with her Plebeians, but all are called Gentlemen that be in adminiſtration of the Government; for which Government She is more beholding unto* Chance, *then the* Wiſdome *of her Law-makers; For many retiring unto thoſe Iſlands, where that City is now built from the inundations of* Barba-

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rians *that overwhelm'd the* Roman *Empire, when they were encreased unto such a number, that to live together it was necessary to have Lawes: They Ordained a form of Government, whereby assembling often in Council upon Affairs, and finding their number sufficient for Government, they put a barre upon all such as repairing afterwards unto their City should become Inhabitants, excluding them from participation of Power. Whence they that were included in the Administration had right; and they that were excluded, coming afterwards, and being received upon no other Conditions to be Inhabitants, had no wrong, and therefore had no occasion; nor were they trusted with Arms, and therefore had no means to be tumultuous. Wherefore this Commonwealth might very well maintain her Self in Tranquillity.*

These things considered, it is plain, that the Roman *Legislators to have introduced a quiet State, must have done one of these two things; Either shut out Strangers, as the* Lacedemonians; *Or, as the* Venetians, *not allow'd the People to bear Arms. But they did neither. By which means the People having power and encrease, were in perpetual Tumult. Nor is this to be helped in a Common-Wealth for Increase, seeing if* Rome *had cut off the occasion of her Tumults, She must have cut off the means of her Increase, and by consequence of her Greatnesse.*

Wherefore let a Legislator consider with himself, whether he would make his Common-wealth for Preservation, in which Case She may be free from Tumults; or for Increase, in which case she must be infested with them.

If he make her for Preservation she may be quiet at home; but will be in danger abroad. First, because her foundation must be narrow, and therefore weak; as that of Lacedemon, *which lay but upon 30000 Citizens; or that of* Venice, *which lyes but upon three Thousand. Secondly, such a* Common-wealth *must either be in Peace, or in War; If She be in Peace, the Few are soonest effeminated and corrupted, and so obnoxious also unto Faction: If in War, succeeding ill, she is an easie prey; or succeeding well, ruined by Increase: a Weight which her Foundation is not able to bear. For* Lacedemon *when she had made her self Mistris, upon the matter, of*

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all Greece, *through a ſlight accident, the rebellion of* Thebes, *occaſioned by the Conſpiracy of* Pelopidas *diſcovering this infirmity of her nature, the reſt of her conquer'd Cities immediately knocked off, and in the turn as it were of an hand reduced her from the fulleſt Tide, unto the loweſt Ebb of her fortune. And* Venice *having poſſeſſed Her ſelf of a great part of* Italy *by her Purſe, was no ſooner, in defence of it, put unto the tryall of her Arms, then She loſt all in one Battail.*

Whence I conclude, That in the Ordination of a Common-wealth, *a Legiſlator is to think upon that which is moſt honourable; and laying aſide the Models for Preſervation, to follow the example of* Rome *conniving at, and temporizing with the enmity between the* Senate *and the* People, *as a neceſſary ſtep unto the* Roman *Greatneſſe. For that any man ſhould find out a ballance that may take in the Conveniencies, and ſhut out the inconveniencies of both, I do not think it poſſible.* Theſe are the words of the Author, though the Method be ſomewhat alter'd, to the end that I may the better turn them unto my hand.

My Lords, I do not know how you hearken unto this ſound, but to hear the greateſt Artiſt in the modern World, giving Sentence againſt our Common-wealth; is that, with which I am nearly concerned. Wherefore, with the honour due unto the Prince of Polititians, let us examine his ratiocination, with the liberty which he hath aſſerted to be the right of a free people. But we ſhall never come up to him, except by taking the Buſineſſe a little lower, we deſcend from effects to their cauſes. The Cauſes of Commotion in a Common-wealth are either external or internal. External are from Enemies, from Subjects, or from Servants. To diſpute then what was the Cauſe why *Rome* was infeſted by the *Italian*, or by the Servile Wars, why the Slaves took the Capitol: why the *Lacedemonians* were near as frequently troubled with their Helots, as *Rome* with all thoſe: Or why *Venice*, whoſe Situation is not truſted unto the faith of Men, hath as good or better quarter with them whom She Governeth, then *Rome* had with

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the Latines; were to diſpute upon external Cauſes: the queſtion put by *Machiavill*, is of internal Cauſes; Whether the enmity that was between the Senate and the People of *Rome* might have been removed; And to determine otherwiſe of this queſtion then he doth, I muſt lay down other Principles then he hath. To which end I affirm, that a *Common-wealth* internally conſidered is either equall, or unequall. *A Commonwealth that is internally equall hath no internall cauſe of Commotion, and therefore can have no ſuch effect, but from without. A Commonwealth internally unequall hath no internall cauſe of quiet, and therefore can have no ſuch effect, but by diverſion.*

To prove my Aſſertions, I ſhall at this time make uſe of no other then his examples. *Lacedemon* was externally unquiet, becauſe She was externally unequall, that is as to her Helots; and ſhe was internally at reſt, becauſe ſhe was equall in her Self, both in root and branch; In the root by her *Agrarian*, and in branch by the *Senate*, in as much as no man was thereunto qualified, but by election of the People: Which Inſtitution of *Lycurgus* is mention'd by *Ariſtotle*, where he ſaith, That rendring his Citizens æmulous (not careleſſe) of that Honour, he deſigned unto the People the Election of the Senate. Wherefore *Machiavill* in this, as in other places, having his eye upon the Diviſion of *Patrician* and *Plebeian* Families as they were in *Rome*, hath quite miſtaken the Orders of this Common-wealth, where there was no ſuch thing. Nor did the Quiet of it derive from the Power of the Kings, who were ſo far from ſhielding the People from injury, of the Nobility, of which there was none in his ſenſe, but the Senate, that one declared end of the Senate at the Inſtitution, was to ſhield the people from the Kings, who thenceforth had but ſingle Votes: Neither did it proceed from the ſtreightneſſe of the Senate, or their keeping the People aloof from the Government, that they were quiet, but from the equality of their adminiſtrations, ſeeing the *Senate* (as is plain by the Oracle, their fundamental Law) had no more then the Debate,

Ariſt. Pol. B. 2.

bate, and the Result of the Common-wealth belonged unto the People. Wherefore when *Theopomp* and *Polydore* Kings of *Lacedemon*, would have kept the people aloof from the Government, by adding unto the ancient Law this Clause (*Si pra. è populus rogaſſit, Senatui Regibuſq; retractandi jus eſto*), If the determination of the People be faulty, it ſhall be lawfull for the *Senate* to reſume the Debate; the people immediately became unquiet, and reſumed that Debate, which ended not till they had ſet up their Ephors, and cauſed that Magiſtracy to be confirmed by their Kings. (*Theopompo Spartanorum regi moderationis teſtimonium reddamus. Nam cum primus inſtituiſſet ut Ephori* Lacedemone *crearentur, ita futuri regiæ poteſtati oppoſiti, quemadmodum Romæ Tribuni Plebis conſulari imperio ſunt objecti: atq; illi uxor dixiſſet, id egiſſe illum ut filiis minorem poteſtatem relinqueret: Relinquam, inquit, ſed diuturniorem. Optimè quidem. Ea enim demum tuta eſt potentia, quæ viribus ſuis modum imponit.* Theopompus *igitur legitimis regnum vinculis conſtringendo, quo longius à licentia retraxit, hoc propius ad benevolentiam civium admovit*). By which it may appear, that a Common-wealth for Preſervation if ſhe come to be unequal, is as obnoxious unto enmity between the *Senate* and the *People*, as a Common-wealth for Encreaſe: and that the Tranquillity of *Lacedemon* derived from no other Cauſe then her Equality.

Plutarch in the Life of *Lycurgus*.

Val. Max. l.4.

For *Venice*, to ſay, that ſhe is quiet becauſe ſhe diſarms her Subjects, is to forget, that *Lacedemon* diſarmed her Helots, and yet could not in their regard be quiet; wherefore if *Venice* be defended from external cauſes of commotion, it is firſt, through her ſituation, in which reſpect her Subjects have no hope, (and this indeed may be attributed unto her fortune) and ſecondly, through her exquiſite Juſtice, whence they have no will to invade her: but this can be attributed to no other cauſe then her prudence: which will appear to be greater, as we look nearer; for the effects that proceed from fortune (if there be any ſuch thing) are like their cauſe, unconſtant; but there never happened unto any other Common-

wealth, ſo undiſturbed and conſtant a tranquillity and peace in her ſelf, as is that of *Venice*; wherefore this muſt proceed from ſome other cauſe then Chance. And we ſee that as ſhe is of all others the moſt quiet, ſo the moſt equal, Commonwealth. Her body conſiſts of one Order, and her Senate is like a rolling ſtone (as was ſaid) which never did, nor, while it continues upon that rotation, ever ſhall gather the moſſe of a divided or ambitious intereſt; much leſſe ſuch an one as that which graſped the people of *Rome* in the talons of their own Eagles. And if *Machiavill*, averſe from doing this Commonwealth right, had conſider'd her Orders, (as his reader ſhall eaſily perceive he never did) he muſt have been ſo far from attributing the prudence of them unto Chance, that he would have touched up his admirable work unto that perfection, which, as to the civil part, hath no pattern in the univerſall World, but this of *Venice*.

Rome, ſecure by her Potent and Victorious Arms from all external cauſes of commotion, was either beholding for her peace at home, unto her Enemies abroad, or could never reſt her head. My Lords, you that are Parents of a Commonwealth, and ſo freer Agents then ſuch as are meer natural, have a care. For, as no man ſhall ſhew me a Commonwealth born ſtreight, that ever became crooked; ſo, no man ſhall ſhew me a Common-wealth born crooked, that ever became ſtreight: *Rome* was crooked in her birth, or rather prodigious, her twins the *Patricians* and *Plebeian* Orders came, as was ſhewn by the foregoing ſtory, into the world, one body, but two heads, or rather two bellies; for, notwithſtanding the Fable out of *Æſop*, whereby *Menenius Agrippa* the Orator that was ſent from the *Senate* unto the People at *Mount Aventine*; ſhew'd the Fathers to be the belly, and the people to be the Arms and the Legs; which except that, how ſloathful ſoever it might ſeem, were nouriſhed, not theſe but the whole body muſt languiſh and be diſſolved; it is plain, that the Fathers were a diſtinct belly, ſuch an one as took the meat indeed out of

of the peoples mouthes; but abhorring the *Agrarian*, returned it not, in the due and neceſſary nutrition of a Common-wealth. Nevertheleſſe, as the people that live about the Cataracts of *Nilus* are ſaid not to hear the noiſe; ſo neither the *Roman* Writers, nor *Machiavill* the moſt converſant with them, ſeem among ſo many of the Tribunitian ſtorms, to hear their natural voice: for though they could not miſſe of it, ſo far as to attribute them unto the ſtrife of the People for participation in Magiſtracy; or, in which *Machiavill* more particularly joyns, unto that about the *Agrarian*; this was to take the buſineſſe ſhort, and the remedy for the diſeaſe.

(*Cujus levamen mali, Plebes, niſi ſuis in ſummo imperio locatis, nullum ſperaret.*) Liv.

A People when they are reduced unto miſery and deſpair, become their own Polititians, as certain beaſts when they are ſick become their own Phyſitians, and are carried by a natural inſtinct unto the deſire of ſuch herbs, as are their proper cure; but the people, for the greater part, are beneath the beaſts in the uſe of them: Thus the people of *Rome*, though in their miſery, they had recourſe by inſtinct as it were unto the two main Fundamentals of a Common-wealth, Participation of Magiſtracy, and the *Agrarian*; did but taſte, and ſpet at them, not (which is neceſſary in Phyſick) drink down the potion, and in that their healths. For when they had obtained participation of Magiſtracy, it was but lamely, not to a full and equall rotation in all elections; nor did they greatly regard it in ſo much as they had gotten: And when they had attained unto the *Agrarian*, they neglected it ſo far as to ſuffer the Law to grow obſolete; but if you do not take the due doſe of your Medicines, (as there be ſlight taſts which a man may have of Philoſophy that incline unto Atheiſme) it may chance be poyſon, there being a like taſte of the Politiques that inclines to Confuſion, as appears in the Inſtitution of the *Roman* Tribunes, by which Magiſtracy, and no more, the people were ſo far from attaining unto peace, that they in getting but ſo

much, got but heads for eternal feud; whereas if they had attained in perfection either unto the *Agrarian*, they had introduced the equality and calm of *Lacedemon*; or unto *Rotation*, they had introduced that of *Venice*: And ſo there could have been no more Enmity between the *Senate* and the *People* of *Rome*, then there was between thoſe Orders in *Lacedemon*, or is in *Venice*. Wherefore *Machiavill* ſeemeth unto me, in attributing the peace of *Venice* more unto her luck then her prudence; of the whole ſtable to have ſaddled the wrong horſe, for though *Rome*,

(*quæ non imitabile fulmen*
Ære, et cornupedum curſu ſimulârat Equorum)

in her Military part could beat it better, beyond all compariſon, upon the ſounding hoof; *Venice* for the Civil, hath plainly had the wings of *Pegaſus*.

The whole Queſtion then will come upon this Point, Whether the People of *Rome* could have obtained theſe Orders: And firſt, to ſay, that they could not have obtained them without altering the Common-wealth, is no argument; ſeeing, neither could they, without altering the Common-wealth, have obtained their Tribunes; which nevertheleſſe were obtained: And if a man conſider the poſture that the people were in when they obtained their Tribunes, they might as well, and with as great eaſe, (for as much as the reaſon why the Nobility yielded unto the Tribunes, was no other, then that there was no remedy) have obtained any thing elſe. And for experience, it was in the like caſe, that the *Lacedemonians* ſet up their Ephors, and the *Athenians* after the battel of *Plateæ*, bowed the Senate (ſo hard a thing it is for a *Commonwealth* that was born crooked to become ſtreight) as much the other way. Nor, if it be objected, that this muſt have ruin'd the Nobility, and in that deprived the Common-wealth of the Greatneſſe which ſhe acquired by them; is this opinion holding, but confuted by the ſequell of the ſtory, ſhewing plainly,

plainly, that the Nobility through the defect of ſuch Orders, that is to ſay, of *Rotation* and the *Agrarian*) came to eat up the people; and battening themſelves in Luxury, (to be as *Saluſt* ſpeaketh of them, *Inertiſſumi nobiles, in quibus ſicut in ſtatua, præter nomen, nihil erat additamenti*) to bring ſo mighty a Common-wealth, ſo huge a glory, unto ſo deplorable an end. Wherefore, means might have been found, whereby the enmity that was between the Senate and the People of *Rome* might have been removed. My Lords,——

If I have argued well, I have given you the comfort and aſſurance, that notwithſtanding the judgment of *Machiavil*, your Common-wealth is both ſafe and ſound: but if I have not argued well, then take the comfort and aſſurance which he gives you, while he is firm, That a Legiſlator is to lay aſide all other examples, and follow that of *Rome* only, conniving and temporizing with the enmity between the Senate and the People, as a neceſſary ſtep unto the *Roman* Greatneſſe. Whence it followes, that your Common-wealth at the worſt, is that which he hath given you his word is the beſt.

I have held your Lordſhips long, but upon an account of no ſmall importance, which I can now ſum up in theſe few words: Where there is a lickerriſhneſſe in a popular Aſſembly to Debate, it proceedeth not from the conſtitution of the People, but of the Common-wealth: Now that the Common-wealth is of ſuch Conſtitution as is naturally free from this kind of intemperance, is that which to make good, I muſt divide the remainder of my Diſcourſe into two Parts.

The

The First, shewing the several Constitutions of the Assemblies of the People in other Common-wealths.

The Second, comparing of Our Assembly of the People with Theirs; and shewing how it excludeth the inconveniences, and embraceth the conveniencies of them all.

IN the beginning of the first Part I must take notice, that among the Popular error of our dayes it is no small one, That men imagines the ancient Governments of this kind to have consisted for the most part of one City, that is, of one Town; whereas by what we have learnt of my Lords that open'd them, it appears that there was not any considerable one of such a constitution but *Carthage*, till this in our dayes of *Venice*.

For to begin with *Israel*, it consisted of the twelve Tribes; locally spread or quartered throughout the whole Territory; these being called together by Trumpets, constituted the Church or Assembly of the people. The vastnesse of this weight, as also the slowneſſe, thence inavoidable, became a great cause (as hath been shewn at large by my Lord *Phosphorus*) of the breaking that Common-wealth; notwithstanding that the Temple, and those religious Ceremonies for which the people were at least annually obliged to repair thither; were no small ligament of the Tribes; otherwise but slightly tack'd together.

Athens consisted of four Tribes, taking in the whole People both of the City, and of the Territory; not so gather'd by *Theseus* into one Town, as to exclude the Country, but to the

end

end that there might be ſome Capital of the Commonwealth: though true it be, that the Congregation conſiſting of the Inhabitants within the Walls, was ſufficient to all intents and purpoſes, without thoſe of the Country; theſe alſo being exceeding numerous, became burdenſome unto themſelves, and dangerous unto the Common-wealth: the more for their ill education, as is obſerved by *Xenophon* and *Polybius*, who compare them unto Marriners, that in a calm are perpetually diſputing and ſwaggering one with another, and never lay their hands unto the Common tackling or ſafety, till they be all indangered by ſome ſtorm: Which cauſed *Thucydides*, when he ſaw this people through the purchaſe of their miſery, become ſo much wiſer, as to reduce their *Comitia* or Aſſemblies unto five thouſand, to ſay, (as in his eighth Book) *And now (at leaſt in my time) the* Athenians *ſeem to have ordered their State aright; conſiſting of a moderate temper both of the Few* (by which he means the Senate of the Bean) *and of the Many*, or the five thouſand; and he doth not only give you his judgment, but the beſt proof of it; for *this* (ſaith he) *was the firſt thing, that after ſo many misfortunes paſt, made the City again to raiſe her head.* The place I would deſire your Lordſhips to note, as the firſt example, that I find, or think is to be found, of a popular Aſſembly by way of Repreſentative.

Lacedemon conſiſted of thirty thouſand Citizens diſperſed throughout *Laconia*, one of the greateſt Provinces in all *Greece*, and divided (as by ſome Authors is probable) into ſix Tribes; of the whole Body of theſe being gather'd, conſiſted the great Church or Aſſembly, which had the Legiſlative power; the little Church, gather'd ſometimes for matters of concernment, within the City, conſiſted of the *Spartans* only: theſe happened like that of *Venice* to be good conſtitutions of a Congregation, but from an ill cauſe the infirmity of a Common-wealth which through her Paucity was *Oligarchical.*

Wherefore, go which way you will, it ſhould ſeem, that without

without a Repreſentative of the people, your Commonwealth conſiſting of an whole Nation, can never avoid falling either into *Oligarchy* or confuſion.

This was ſeen by the *Romans*, whoſe ruſtick Tribes extending themſelves from the river *Arno*, unto the *Vulturnus*, that is, from *Feſulæ* or *Florence* unto *Capua*, invented a way of Repreſentative by Lots; the Tribe upon which the firſt fell, being the prerogative, and ſome two or three more that had the reſt, the *Jure-vocatæ*: Theſe gave the Suffrage of the Common-wealth (*binis Comitiis*); the Prerogative at the firſt Aſſembly, and the *Jure vocatæ* at a ſecond.

Now to make the paralel, All the inconveniences that you have obſerved in theſe Aſſemblies are ſhut out, and all the conveniences taken in, to your prerogative; for firſt it is that for which *Athens*, ſhaking off the blame of *Xenophon* and *Polybius*, came to deſerve the praiſe of *Thucydides*, a Repreſentative; and ſecondly, not as I ſuſpect in that of *Athens*, and is paſt ſuſpition in this of *Rome*, by lot, but by ſuffrage, as was alſo the late Houſe of Commons, by which means in the prerogatives, all the Tribes of *Oceana* are *Jure Vocatæ*; and if a man ſhall except againſt the paucity of the ſtanding number, it is a wheel, which in the revolution of a few years turneth every hand that is fit, or fitteth every hand that it turns, unto the publick work: Moreover, I am deceived, if upon due conſideration, it do not fetch your Tribes with greater equality and eaſe unto themſelves, and unto the Government, from the frontiers of *Marpeſia*; than *Rome* ever brought any one of hers out of her *Pomœria*, or the neareſt parts of her adjoyning Territories. To this you may adde, That whereas a Commonwealth, which in regard of the People is not of facility in execution, were ſure enough in this Nation to be caſt off through impatience; Your Muſters and Gallaxy's are given unto the people, as milk unto babes, whereby when they are brought up through four dayes election in an whole year, (one at the Pariſh, one at the Hundred, and two at the Tribe) unto their ſtrongeſt meat, it is of no harder digeſtion, then to give

their

their Negative or Affirmative as they ſee cauſe. There be gallant men among us that laugh at ſuch an appeal or umpire; but I refer it, whether you be more inclining to pardon them or me, who I confeſſe have been this day laughing at a ſober man, but without meaning him any harm, and that is *Petrus Cunæus*, where ſpeaking of the nature of the people, he ſaith, that *taking them apart, they are very ſimple, but yet in their Aſſemblies they ſee and know ſomething*, and ſo runs away without troubling himſelf with what that ſomething is. Whereas the people taken apart, are but ſo many private intereſts, but if you take them together, they are the publick intereſt; the publick intereſt of a Common-wealth (as hath been ſhewn) is neareſt that of mankind, and that of mankind is right reaſon; but with the *Ariſtocracy*, whoſe reaſon or intereſt when they are all together, as appear'd by the *Patricians*, is but that of a party, it is quite contrary; for, as taken apart they are far wiſer then the people, conſidered in that manner; ſo being put together, they are ſuch fooles, that by depoſing the people, as did thoſe of *Rome*, they will ſaw off the branch whereupon they ſit, or rather deſtroy the root of their own greatneſſe: Wherefore *Machiavill* following *Ariſtotle*, and yet going before him, may well aſſert (*Che la multitudine è piu ſavia et piu coſtunte che un Prencipe*) the Prerogative of Popular Government for wiſdome. And hence it is, that the Prerogative of your Common-wealth, as for Wiſdom, ſo for Power, is in the People: which (albeit I am not ignorant, that the *Roman* Prerogative was ſo called a *Prærogando*, becauſe their Suffrage was firſt asked) gives the denomination unto your Prerogative Tribe.

The Elections whether Annual or Triennial, being ſhewn by the Twenty ſecond, that which comes in the next place to be conſidered, is

23. *Ord. The Constitution Function and Manner of Proceeding of the* Prærogative.

The Twenty third Order, shewing the Power, function, and manner of Proceeding of the Prerogative Tribe.

The Power or function of the Prerogative is of two parts, the one of Result, in which it is the Legislative Power, the other of Judicature, in which regard it is the highest Court, and the last appeale in this Common-wealth.

For the former part, the people by this Constitution, being not obliged by any Law, that is not of their own making; or Confirmation by the Result of the Prerogative, their equall Representative: It shall not be lawfull for the Senate to require Obedience, from the people, nor for the people to give obe obedience unto the Senate in or by any Law that hath not been promulgated or printed & publisht for the space of six weeks: & afterwards porposed by the Authority of the Senate unto the Prerogative Tribe, and resolved by the Major Vote of the same in the affirmative. Nor shall the Senate have any power to levy War, Men, or Money, otherwise then by the consent of the People so given, or by a Law so Enacted, except in cases of exigence, in which it is agreed, that the Power both of the Senate, and the People shall be in the Dictator, so qualified, and for such a terme of time as is according unto that Constitution already prescribed. While a Law is in Promulgation the Censors shall animadvert upon the Senate; and the Tribunes upon the People, that there be no laying of heads together; Conventicles, or Cavalling to carry on, or oppose any thing; but that all my be done in a free and open way.

For the latter part of the Power of the Prerogative or that whereby they are the Supream Judicatory of this Nation, and of the Provinces of the same, the Cognizance of Crimes against the Majesty of the People, as high Treason, as also of Peculate that is robery, of the Treasury, or Defraudation of the Common-wealth appertaineth unto this Tribe, and if any Person or Persons, Provincialls or Citizens shall appeale unto the people, it belongeth unto the Prerogative to Judge and determine the Cals. Provide that if the Appeale be from any Court of justice in this Nation or the Provinces, the Appellant shall first deposite one hundred pounds in the Court from which he appealeth, to be forfeited unto the same, if he be cast in his Suite by the people. But the Power of the Council of War being the expedition of this Common-wealth, and the Martiall Law

Law of the Strategus in the Field, are those onely from which there shall lye no Appeale unto the People.

The Proceeding of the Prerogative in case of a Proposition, is to be thus Ordered: The Magistrates propoſing by Authority of the Senate, shall rehearse the whole Matter, and expound it unto the People, which done, they shall put the whole together unto the Suffrage, with three Boxes, the Negative, the Affirmative, and the Non-sincere: and the Suffrage being returned unto the Tribunes, and numbred in the presence of the Propolers, if the Major Vote be in the Non-sincere, the Propolers shall desist, and the Senate shall resume the Debate. If the Major Vote be in the Negative, the Propolers shall desist, and the Senate too. But if the Major Vote be in the Affirmative, then the Tribe is clear, and the Propolers shall begin and put the whole matter, with the Negative and the Affirmative, (leaving out the Non-sincere) by Clauses; and the Suffrages being taken and numbred by the Tribunes in the presence of the propolers, shall be written and reported by the Tribunes unto the Senate, and that which is propoſed by the authority of the Senate, and confirmed by the Command of the People, is the Law of Oceana.

The Proceeding of the Prerogative in a case of Judicature is to be thus ordered. The Tribunes being Auditors of all Causes appertaining unto the Cognizance of the people, shall have notice of the Sute or Tryall, whether of appeale or otherwise, that is to be Commenced, and if any one of them shall accept of the same, it appertaineth unto him to introduce it. A Cause being introduced, and the people Mattered or Assembled for the Decision of the same, the Tribunes are Presidents of the Court, having power to keep it: unto Orders, and shall be seated upon a Scaffold erected in the middle of the Tribe: upon the right hand shall stand a seat, or large Pulpit alligned unto the Plaintiffe, or the Accuser; and, upon the left, another for the Defendant, each if they spleale with his Counsel. And the Tribunes being attended upon such occasions with so many Ballotines, Secretaryes, Door-keepers, and Messengers of the Senate as shall be requisite; One of them shall turn up a Glasse of the nature of an hour-glasse, but such an one as is to be of an houre and a halfe's running; which being turned up, the party, or Counsell on the right hand may begin to speak to the People; if there be Papers to be read, or witnesses to be examined, the Officer shall lay the Glasse side-wayes until the Papers be read, and the Witnesses examined, and then turn it up again; and so long as the Glasse is running the Party on the right hand hath liberty to speak, and no longer. The

Party on the right hand having had his time, the like shall be done in every respect, for the Party on the left. And the Cause being thus heard, the Tribunes shall put the question unto the Tribe with a white, a black, and a red Box (or non-sincere), Whether Guilty or not Guilty? And if, the Suffrage being taken, the Major Vote be in the Non-sincere, the Cause shall be re-heard upon the next juridicall day following; and put unto the question in the same manner. If the Major Vote come the second time in the Non-sincere, the Cause shall be heard again upon the third day: but at the third hearing the question shall be put without the Non-sincere. Upon the first of the three dayes in which the Major Vote comes in the white box, the party accused is absolv'd; and upon the first of them in which it comes in the black box, the party accused is condemned. The party accused being condemned, the Tribunes shall put with the white and the black Box, these questions, or such of them, as, regard had unto the Case, they shall conceive most proper.

1. Whether he shall have a writt of ease.
2. Whether he shall be fined so much, or so much.
3. Whether he shall be Confiscated.
4. Whether he shall be rendred incapable of Magistracy.
5. Whether he shall be banished.
6. Whether he shall be put to Death.

These or any three of these questions whether simple or such as shall be thought fitly mixed, being put by the Tribunes, that which hath most above half the Votes in the black Box is the sentence of the people, which the Troop of the third Classis is to see executed accordingly.

But whereas by the Constitution of this Common-wealth it may appear that neither the Propositions of the Senate, nor the Judicature of the people, will be so frequent as to hold the Prerogative in continuall imployment; the Senate, a maine part of whose Office it is to teach and instruct the people, shall duly (if they have no greater affairs to divert them,) cause an oration to be made unto the Prerogative by some Knight or Magistrate of the Senate, to be chosen out of the ablest men, and from time to time, appointed by the Orator of the House; in the great Hall of the Pantheon, while the Parliament resideth in the town; or in some Grove or sweet place in the field, while the Parliament for the heat of the year shall reside in the country; upon every Tuesday morning or afternoon. And

And the Orator appointed pro tempore unto this office shall first repeat the orders of the Common-wealth with all possible brevity; and then making choice of one, or some part of it, discourse thereof unto the people. An Oration or discourse of this nature being afterward perused by the councill of State, may as they see cause be printed and published.

The *Archon*'s Comment upon the Order, I find to have been of this sense:

My Lords,

TO crave pardon for a word or two in farther explanation of what was read; I shall briefly shew how the Constitution of this Tribe or Assembly answers unto their Function; and how their function, which is of two parts, the former in the Result or Legislative Power; the later in the Supream Judicature of the Common-wealth, *answers unto their Constitution.* Machiavill *hath a Discourse, where he puts the question,* Whether the guard of liberty be with more security to be committed unto the Nobility, or to the People. *Which doubt of his ariseth through the want of explaining his term; for the guard of liberty can signifie nothing else but the result of the* Common-wealth; *so that to say, that the guard of liberty may be committed unto the Nobility, is to say, that the result may be committed unto the*

Senate,

Senate, *in which caſe the* People *ſignifie nothing*: *Now to ſhew it was a miſtake, to affirm it to have been thus in* Lacedemon, *ſufficient hath been ſpoken*; *and whereas he will have it to be ſo in* Venice *alſo*; (Quello, *ſaith* Contarini, appreſſo il quale e la ſomma autorita di tutta la città, el dalle leggi, et decreti de i quali pende l'autoritatâ coſi del Senato come ancora di tutti i Magiſtrati, e il Conſiglio Grande.) *it is inſtitutively in the great Council by the Judgment of all that know that Common-wealth*; *though for the reaſons ſhewn it be ſometimes exerciſed by the* Senate. *Nor need I run over the* Common-wealths *in this place for the proof of a thing ſo doubtleſſe, and ſuch as hath been already made ſo apparent, as that the reſult of each was in the Popular part of it. The Popular part of yours, or the Prerogative Tribe, conſiſteth of ſeven Deputies (whereof three are of the Horſe) annually elected out of every Tribe of* Oceana, *which being fifty, amounteth unto one hundred and fifty Horſe, and two hundred Foot*; *and the Prerogative conſiſting of three of theſe Liſts, conſiſteth of four hundred and fifty Horſe, and ſix hundred Foot, (beſides thoſe of the Provinces to be hereafter mentioned)*

mentioned) by which means the over-ballance in the Suffrage remaining unto the Foot by one hundred and fifty Votes, you have unto the ſupport of a true and natural Ariſtocracy, *the deepeſt root of a* Democracy *that hath been planted. Wherefore there is nothing in Art or Nature better qualify'd for the reſult then this Aſſembly.*— *It is noted out of* Cicero *by* Machiavill, *That the* People, *albeit they are not ſo prone to find out truth of themſelves, as to follow Cuſtome, or run into errour; yet if they be ſhew'd truth, they not only acknowledge and embrace it very ſuddenly, but are the moſt conſtant and faithful Guardians and Conſervators of it. It is your Duty and Office, whereunto you are alſo qualify'd by the Orders of this Common-wealth, to have the People as you have your Hawks and Greyhounds, in leaſes and ſlips, to range the fields, and beat the buſhes for them; for they are of a nature that is never good at this ſport, but when you ſpring or ſtart their proper quarry: think not that they will ſtand to ask you what it is, or leſſe know it then the Hawks and Greyhounds do theirs; but forthwith make ſuch a flight or courſe, that a Huntſman may as well undertake to run with his dogs, or a*

Faulkoner

Faulkoner to fly with his Hawk, as an Ariſtocracy *at this game to compare with the* People. *The People of* Rome *were ſeized upon no leſs prey then the Empire of the World, when the Nobility turned tailes and pearched among Dawes upon the Tower of Monarchy. For though they did not all of them intend the thing, they would none of them indure the remedy, which was the* Agrarian.

But the Prerogative Tribe *hath not only the Reſult, but is the Supream Judicature, and the* ultimate *Appeal in this* Common-wealth. *For the Popular Government that makes account to be of any ſtanding, muſt make ſure in the firſt place of the Appeal unto the People.* (Ante omnes de provocatione adverſus Magiſtratus ad Populum, ſacrandoq; cum bonis capite ejus, qui regni occupandi concilia ineſſet.) *As an Eſtate in truſt becomes a mans own, if he be not anſwerable for it, ſo the Power of a Magiſtracy not accomptable unto the People from whom it was received becoming of private uſe, the Common-wealth loſes her Liberty; Wherefore the right of Supream Judicature in the People (without which there can be no ſuch thing as Popular Government) is confirmed by the*

conſtant

constant Practice of all Common-wealths; as that of Israel *in the Cases of* Achan, *and of the Tribe of* Benjamin, *adjudged by the Congregation. The* Dicasterion *or Court called the* Heliaia *in* Athens, *which (the* Comitia *of that* Common-wealth *consisting of the whole People, and so being too numerous to be a Judicatory) was constituted sometimes of Five hundred, at others of One thousand, or, according to the greatnesse of the Cause, of Fifteen hundred, elected by the Lot out of the whole body of the People, had with the nine* Archons, *that were Presidents, the Cognizance of such Causes as were of highest importance in that State. The Five Ephors in* Lacedemon, *which were Popular Magistrates, might question their Kings, as appears by the Cases of* Pausanias *and of* Agis, *who being upon his Tryall in this Court, was cryed unto by his Mother, to appeal unto the People, as* Plutarch *hath it in his Life. The Tribunes of the People of* Rome, *like in the nature of their Magistracy, and for sometime in number, unto the Ephors; as being according unto* Halicarnasseus *and* Plutarch, *instituted in imitation of them; had power (*diem dicere*) to Summon any Man, his Magi-*

ſtracy at leaſt being expired, (for from the Dictator there lay no Appeal) to anſwer for himſelf unto the People. As in the caſe of Coriolanus, which was going about to force the People by withholding Corn from them in a famine, to relinquiſh the Magiſtracy of the Tribunes. In that of Sp. Caſſius for affecting Tyranny. Of M. Sergius for running away at Veii. Of C. Lucretius for ſpoyling his Province. Of Junius Silanus for making War againſt the Cimberi, injuſſu Populi; with divers others. And the Crimes of this nature were call'd Læſæ Majeſtatis. Examples of ſuch as were arraigned, or tryed for Peculate, or Defraudation of the Common-wealth, were, M. Curius, for intercepting the money of the Samnites. Salinator, for the unequal diviſion of Spoyles unto his Souldiers. M. Poſthumius, for Cheating the Common-wealth by a feigned Shipwrack; Cauſes of theſe two kinds were of more Publique nature; but the like Power upon Appeals was alſo exerciſed by the People in private Matters, even during the time of the Kings; As in the Caſe of Horatius. Nor is it otherwiſe with Venice, where Doge Loridano was Sentenced by the great Council; and Antonio Grimani;

after-

afterwards Doge, *questioned, for that he being Admiral, had suffered the* Turk *to take* Lepanto *in view of his* Fleet.

Nevertheless, there lay no Appeal from the Roman Dictator *unto the People; which if there had, might have cost the Common-wealth dear, when* Sp. Mœlius *affecting Empire, circumvented and debauched the Tribunes; whereupon* T. Quintius Cinninatus *was created* Dictator. *Who having chosen* Servilius Alaha *to be his Lievtenant or* Magister Equitum, *sent him to apprehend* Mœlius, *whom while he disputed the Commands of the* Dictator, *and implored the ayd of the People,* Alaha *cut off upon the place: By which example you may see in what cases the* Dictator *may prevent the blow, which is ready sometimes to fall ere the People be aware of the danger. Wherefore there lyes no Appeal from the* Dieii *in* Venice *unto the Great* Council *nor from our* Council *of War to the People. For the way of proceeding of this Tribe, or the Ballot, it is, as was once said for all,* Venetian.

This Discourse (de Judiciis) *whereupon we are fallen, bringeth us rather naturally then of design from the two general Orders of every Common-wealth;*

that is to ſay, from the Debating part, or the Senate; *and the Reſolving part, or the* People; *to the third, which is the Executive part, or the* Magiſtracy; *whereupon I ſhall have no need to dwell: For, the Executive Magiſtrates of this Common-wealth are the* Strategus *in Arms, the Signory in their ſeveral Courts; (as the Chancery, the Exchequer) as alſo the Councils in divers Caſes within their Inſtructions, the* Cenſors *as well in their proper Magiſtracy, as in the* Council *of Religion: the* Tribunes *in the Government of the Prerogative, and that Judicatory: And the* Judges *with their Courts; Of all which ſo much is already ſaid or known as may ſuffice.*

The Tueſday-*Lectures or Orations unto the People, will be of great benefit unto the* Senate, *the* Prerogative, *and the whole Nation. Unto the* Senate, *becauſe they will not only teach your Senators Elocution, but keep the Syſteme of the Government in their memories. Elocution is of great uſe unto your Senators; for if they do not underſtand Rhetorick, (giving it at this time for granted, that the Art were not otherwiſe good) and come to treat with, or vindicate the cauſe of the* Common-wealth *againſt ſome other*

other Nation, that is good at it; the advantage will be subject to remain upon the merit of the Art, and not upon the merit of the Cause. Furthermore, the Genius or Soul of this Government, being in the whole and in every part; they will never be of ability in determination upon any particular, unlesse at the same time they have an Idea of the whole. That this therefore must be, in that regard, of equal benefit unto the Prerogative, is plain; though these have a greater concernment in it. For this Common-wealth is the Estate of the People: and a man (you know) though he be virtuous, yet if he do not understand his Estate, may run out or be cheated of it. Last of all, the treasures of the Politicks will by this means be so opened, rifled, and dispersed, that this Nation will as soon dote, like the Indians, *upon glasse Beads, as disturb your* Government *with whimsies, and freaks of mother-wit; or suffer themselves to be flutter'd out of their Liberties. There is not any reason why your Grandees, your wise men of this Age, that laugh out, and openly, at a Common-wealth, as the most ridiculous thing, do not appear to be, as in this regard they are, meer Ideots; but that the People have not Eyes.*

There

There remaineth no more appertaining unto the *Senate* and the *People*, than

24. *Ord. Conſtitution of the* Provincial part of the Senate, *and the* People.

The Twenty fourth Order, Whereby it is lawfull for the Province of Marpeſia **to have 30. Knights of their own election continually preſent in the Senate of** Oceana **together with 60. Deputies of Horſe, and 120. of Foot in the Prerogative Tribe, indued with equall power (reſpect had unto their quality and number,) in the Debate and reſult of this Common-wealth: Provided that they Obſerve the Courſe or Rotation of the ſame by th. Annuall Return of 10. Knights, 20. Deputyes of the Horſe, and 40. of the Foot The like in all reſpects is lawfull for** Panopea **and the Horſe of both the Provinces amounting unto one Troop, and the Foot unto one Company; one Captain, and one Cornet of the Horſe ſhall be annually choſen by** Marpeſia; **and one Captain and one Enſigne of the Foot ſhall be annually choſen by** Panopea.

Conſtitution of the Parliament.

The Orb of the Prerogative being thus Compleat is not unnaturally compar'd unto that of the Moon, either in conſideration of the Light, borrowed from the Senate as from the Sun; or of the ebbs and floods of the People, which are marked by the Negative or Affirmative of this Tribe, And the Conſtitution of the Senate and the People being ſhewn, You have that of the Parliament of *Oceana*, Conſiſting of the Senate propoſing, and of the People reſolving; which amounts unto an Act of Parliament. So the Parliament is the Heart, which conſiſting of two Ventricles; the one greater and repleniſhed with a groſſer ſtore; the other leſſe and full of a purer; ſucketh in, and guſheth forth the life blood of *Oceana* by a perpetuall Circulation. Wherefore the life of this Government is no more unnaturall or obnoxious for this, unto diſſolution, then that of a Man; Nor unto giddineſſe then the World, (ſeeing the Earth whether it be it ſelf, or the Heavens that are in Rotation, is ſo farr from being giddy that it could not ſubſiſt without the motion.) But why ſhould not this Government be much rather capable of duration and ſteddineſſe by a motion? than which GOD hath ordained no other unto the univerſall Common-wealth of Mankind: ſeeing one Generation cometh, & another goeth, but the Earth remaineth firme for ever; that is in her proper Situation or Place, whether ſhee be moved or not moved upon her proper Center. The Senate the People and the Magiſtracy, or the Parliament ſo Conſtituted (as you have ſeen) is the Guardian of this Common-

wealth,

wealth, and the Husband of such a Wife as is elegantly described by Solomon. *Shee is like the Merchants Ship, Shee bringeth her food from farre. She considereth a Field and buyeth it: With the fruit of her hands Shee Planteth a Vineyard: Shee conceived that her Merchandize is good: She stretcheth forth her hands to the poor: Shee is not afraid of the Snow for her Household, for all her household are clothed with Scarlet: Shee maketh her self Coverings of her Tapestry; Her cloathing is Silke and Purple; Her Husband is known (by his Robes) in the Gates, where he sitteth amongst the Senators of the Land.* The Gates, or inferiour Courts were branches as it were of the Sanhedrim or Senate of *Israel*. Nor is our Common-wealth a worse housewife, or hath shee lesse regard unto her Magistrates; as may appear by, *Prov.* 31.

The Twenty fifth Order. That, whereas the Publique Revenue is through the late Civill Wars dilapidated; the Excize, being improved or improveable to the Revenue of One Million, be applyed for the space of Eleaven years to come, unto the reparation of the same, and the present Maintenance of the Magistrates, Knights, Deputies, and other Officers, who according unto their severall Dignities and Functions shall annually receive towards the Support of the same, as followeth: *Ord.* 25.

The Lord Stratêgus *Marching, is upon another accompt to have Field Pay as* Generall.

	li. *per Annum.*
The Lord Strategus *sitting*	002000.
The Lord Orator	002000.
The three Commissioners *of the* Seal	004500.
The three Commissioners *of the* Treasury	004500.
The two Censors	003000.
The 290. Knights, *at* 500 l. *a Man*	145000.
The 4. Embassadors *in Ordinary*	012000.
The Council *of* War *for Intelligence*	003000.
The Master *of the* Ceremonies	000500.
The Master *of the* Horse	000500.
His Substitute	000150.

The

The 12. Ballotines *for their winter Liveries* —	000240.
For their Summer Liveries —	000120.
For their board-Wages —	000480.
For the keeping of three Coaches of State, 24 Coach-horses with Coachmen, and Postilions —	001500.
For the Grooms, *and keeping of 16. great Horses for the* Master *of the Horse, and for the* Ballotines *whom he is to govern and instruct in the Art of Riding,* —	000480.
The 20. Secretaries *of the* Parliament —	002000.
The 20. Door-keepers *who are to attend with Pole-axes; For their Coats,* —	000200.
For their Board-wages —	001000.
The 20. Messengers, *which are Trumpeters; For their Coats,* —	000200.
For their Board-wages, —	001000.
For Ornament of the Musters of the Youth —	005000.
Sum, —	189370.

Out of the Personall Estates of every man who at his death bequeatheth not above Forty shillings unto the Master of that Hundred wherein it lyes shall be levied one per Cent, untill the solid Revenue of the Master of the Hundred amount unto 50. l. per annum; for the Prizes of the Youth.

The twelve Ballotines are to be divided into three Regions according unto the Course of the Senate, the four of the first Region to be elected at the Tropick out of such Children as the Knights of the same shall offer, not being under Eleven yeers of age, nor above 13. And their Election shall be made by the Lot at an Urn set by the Serjant of the house for that purpose in the Hall of the Pantheon. The Livery of the Common-wealth for the fashion or the colour may be changed at the Election of the Strategus according unto his phantasie.

tasy. But every Knight during his Session shall be bound to give unto his Foot-man or some one of his Foot-men, the Livery of the Common-wealth.

The *Prerogative Tribe* shall receive as followeth:

	li. *by the week.*
The 2. Tribunes *of the Horse*	000014
The 2. Tribunes *of the Foot*	000012
The 3. Captains *of Horse*	000015
The 3. Cornets	000009
The 3. Captains *of Foot*	000012
The 3. Ensigns	000007
The 442 *Horse at* 2 l. *a man*	000884
The 592 *Foot at* 1 l. 10 s. *a man*	000888
The 6. Trumpeters	000007-10 s.
The three Drummers	000002—5 s.
Summ, by the Week	001850—15.
Summ, by the Year	096239—
The Totall *of the* Senate, *the* People, *and the* Magistracy,	l. s. 287459—15.

The dignity of the Common-wealth, and ayds of the severall Magistracies and Offices thereunto belonging being provided for as aforesaid, the Overplus of the Excize with the Profit of the Summe rising shall be carefully mannaged by the Senate and the People through the diligence of the Officers of the Exchequer; till it amount unto Eight Millions, or to the purchase of about four hundred thousand Pounds solid Revenue. At which time, the terme of eleven yeers being expired, the Excize, (except it be otherwise ordered by the Senate and the people) shall be totally remitted, and abolished for ever.

At this Inſtitution the Taxes (as will better appear in the *Corollary*) were abated about one half, which made the Order when it came to be taſted, to be of good reliſh with the People in the very beginning; though the Advantages then were nowiſe comparable unto the Conſequences to be hereafter ſhewn. Nevertheleſſe, my Lord *Epimonus*, who with much ado had been held till now, found it Midſummer Moon, and broke out of Bedlam in this mood,

My Lord *Archon*,

I Have a ſinging in my head like that of a Cart wheel, my brains are upon a rotation; and ſome are ſo merry, that a man cannot ſpeak his griefs; but if your high-ſhod Prerogative, and thoſe ſame ſlouching Fellowes your Tribunes, do not take my Lord Stratêgus's, *and my Lord* Orator's *heads, and jole them together under the Canopy, then let me be ridiculous unto all Poſterity: For here is a* Common-wealth, *to which if a man ſhould take that of the* Prentices *in their ancient adminiſtration of Juſtice at* Shrove-tide, *it were an* Ariſtocratie. *You have ſet the very Rabble with Troncheons in their hands, and the Gentry of this Nation like Cocks with ſcarlet gills, and the golden combs of their Salaries to boot, leſt they ſhould not be thrown at.*

Not a Night can I ſleep for ſome horrid Apparition or other; One while theſe Myrmidons are meaſuring ſilks by

by their quarter-Staves; another ſtuffing their greaſie Poutches with my Lord High-Treaſurer's Jacobus's: *For they are above a thouſand in Arms to three hundred, which, their Gowns being pull'd over their ears, are but in their doublets and hoſe. But what do I ſpeak of a Thouſand? there be two thouſand in every Tribe, that is an hundred thouſand in the whole Nation, not only in the Poſture of an Army, but in a Civill capacity ſufficient to give us what Lawes they pleaſe: Now every body knowes, that the lower ſort of People regard nothing but money; and you ſay it is the duty of a* Legiſlator *to preſume all men to be wicked, wherefore they muſt fall upon the richer, as they are an Army; or leſt their minds ſhould miſgive them in ſuch a villany, you have given them encouragement that they have a nearer way, ſeeing it may be done every whit as well by the overballancing Power which they have in Elections. There is a Fair which is annually kept in the Center of theſe Territories at* Kiberton, *a Town famous for Ale, and frequented by Good-Fellowes; where there is a ſolemnity of the Pipers, and Fidlers of this Nation, (I know not whether* Lacedemon, *where*

the Senate *kept accompt of the ſtops of the Flutes and of the Fiddleſtrings of that* Common-wealth, *had any ſuch Cuſtom) call'd the Bull-running, and he that catcheth and holdeth the Bull, is the annuall and Supream Magiſtrate of that* Comitia, *or Congregation, called* King-Piper; *without whoſe Licence it is not lawfull for any of thoſe Citizens to enjoy the liberty of his Calling; nor is he otherwiſe legitimately qualify'd (or* civitate donatus) *to lead Apes, or Bears in any Perambulation of the ſame. Mine Hoſt of the* Bear, *in* Kiberton, *the father of Ale, and Patron of good Foot-ball and Cudgel-players hath any time ſince I can remember been Grand-Chancellor of this Order. Now ſay I, ſeeing great things ariſe from ſmall beginnings, what ſhould hinder the People prone to their own advantage, and loving money, from having Intelligence conveyed unto them by this ſame* King-Piper *& his Chancellor, with their Loyall Subjects the Minſtrills and Bear-wards: Maſters of Ceremonies, unto which there is great recourſe in their reſpective Perambulations, and which they will Commiſsion and inſtruct, with directions unto all the Tribes, willing and commanding them, That as they*

wiſh

wish their own goods, they choose none other into the next Primum Mobile, *but of the ablest Cudgell and Foot-ball Players: which done as soon as said, your* Primum mobile *consisting of no other stuffe, must of necessity be drawn forth into your* Nebulones, *and your* Galimofrys, *and so the silken Purses of your* Senate *and* Prerogative *being made of Sowes-ears, most of them Black-Smiths, they will strike while the Iron is hot, and beat your Estates into Hob-nailes; Mine Host of the* Bear *being* Strategus, *and* King-Piper *Lord* Orator. *Well, my Lords, it might have been otherwise, expresst, but this is well enough a conscience. In your way, the wit of Man shall not prevent this or the like Inconvenience; but if this, (for I have conferr'd with Artists) be a Mathematical demonstration, I could kneel to you, that ere it be too late we might return unto some kind of Sobriety.*

If we empty our Purses with these Pomps, Salaries, Coaches, Lacquays, *and* Pages, *what can the people say lesse, then that we have dresst a* Senate *and a* Prerogative *to nothing, but to go unto the* Park *with the Ladies?*

My

My Lord *Archon*, whose meekneſſe reſembled that of *Moſes*, vouchſafed this Anſwer:

My Lords,

FOr all this, I can ſee my Lord *Epimonus* every night in the Park, and with Ladies; nor do I blame this in a young man, or the reſpect which is and ought to be given unto a Sex that is one half of the Common-wealth of mankind, and without which the other would be none; howbeit our Magiſtrates I doubt may be ſomewhat with the oldeſt to perform this part with much acceptation: (and, *Servire et non gradire, è coſa da morire*) Wherefore we will lay no certain obligation upon them in this point, but leave them (if it pleaſe you) unto their own fate or diſcretion. But this, for I know my Lord *Epimonus* loves me, and though I can never get his eſteem, I will ſay, If he had a Miſtreſſe ſhould uſe him ſo, he would find it a ſad life: or I appeal unto your Lordſhips, how I can reſent it from ſuch a friend, that he puts King *Piper*'s Politicks in the ballance with mine. King *Piper*, I deny not, may teach his Bears to dance, but they have the worſt ear of all creatures; now how he ſhould make them keep time in fifty ſeverall Tribes, and that two years together, for elſe it will be to no purpoſe, may be a ſmall matter with my Lord to promiſe; but it ſeemeth unto me of impoſſible performance: firſt, through the nature of the Bean; and ſecondly, through that of the Ballot; or what he hath hath hitherto thought ſo hard, is now come to be eaſie: but he may think, that for expedition they will eat up theſe Balls like Apples; however, there is ſo much more in their way, by the conſtitution of this, than is to be found in that of any other Common-wealth, that I am reconciled; it now appearing plainly, that the points of my Lords arrowes are directed at no other white then to ſhew the excellency of our Government above others; which as he proceeds farther, is yet plainer: while he makes it appear, that

that there can be no other elected by the people but Smiths,

(*Brontesq; Steropesq; et nudus membra Pyracmon.*)

Othoniel, Aod, Gideon, Jephtha, Samson, as in *Israel*: *Miltiades, Aristides, Themistocles, Cimon, Pericles,* as in *Athens*. *Papyrius, Cincinnatus, Camillus, Fabius, Scipio,* as in *Rome*. Smiths of the fortune of the Common-wealth, not such as forg'd hobnails, but Thunder-bolts. Popular Elections are of that kind, that all the rest of the world is not able either in number or glory to equal those of these three Common-wealths. These indeed were the ablest Cudgel and Foot-ball players; bright Armes were their Cudgels, and the World was the Ball that lay at their Feet. Wherefore we are not so to understand the Maxime of *Legislators*, which holdeth all men to be wicked, as if it related to mankind or a Common-wealth, the interests whereof are the only streight lines that they have whereby to reform the crooked, but as it relates unto every man or party under what colour soever he or they pretend to be trusted apart, with or by the whole. Hence then it is derived, which is made good in all experience, that the *Aristocracy* is ravenous, and not the *People*: Your high-way-men are not such as have Trades, or have been brought up unto industry; but such whose education hath pretended unto that of Gentlemen. My Lord is so honest, he doth not know the Maxims that are of absolute necessity unto the arts of wickedness; for it is most certain, if there be not more purses then Thieves, that the thieves themselves must be forced to turn honest, because they cannot thrive of their Trade: but now if the people should turn thieves, who sees not that there would be more theeves then purses; wherefore that an whole People should turn robbers or Levellers is as impossible in the end as in the means. But that I do not think your Artist mention'd, Astronomer or Arithmetician which he be, can tell me how many barly corns would reach unto the Sun, I could be content he were called unto the account, with which I shall conclude this Point: when by the way I have chidden my Lords the Legislators, who as

if

if they doubted my tackling would not hold, leave me to flag in a perpetual calm; but for my Lord *Epimonus*, who breathes now and then into my ſayles and ſtirs the waters. A Ship maketh not her way ſo briskly, as when ſhe is handſomely bruſhed by the waves, and tumbles over thoſe that ſeem to tumble againſt her; in which caſe I have perceived in the dark, that light hath been ſtricken even out of the Sea, as in this place, where my Lord *Epimonus* faining to give us a demonſtration of one thing, hath given it of another, and of a better. For the people of this Nation, if they amount in each Tribe unto two thouſand Elders, and two thouſand Youth upon the annual Roll, holding a fifth unto the whole Tribe; then the whole of a Tribe (not accounting women and children) muſt amount unto twenty thouſand; and ſo the whole of all the Tribes, being fifty, unto one million. Now you have ten thouſand Pariſhes, and reckoning theſe one with another, each at one thouſand pounds a year dry rent; the Rent or Revenue of the Nation as it is or might be let to farm, amounteth unto ten millions; and ten millions in revenue divided equally unto one million of men, comes but to ten pounds a year unto each whereupon to maintain himſelf, his Wife and Children. But he that hath a Cow upon the Common, and ernes his ſhilling by the day at his labour, hath twice as much already as this would come unto for his ſhare; becauſe if the Land were thus divided, there would be no body to ſet him on work: my Lord *Epimonus*'s Footman, who coſts him thrice as much as one of theſe could thus get, would loſe by this bargain. What ſhould we ſpeak of thoſe innumerable Trades whereupon men live not only better then others upon good ſhares of Lands, but become alſo purchaſers of greater Eſtates? Is not this the demonſtration which my Lord meant, that the Revenue of Induſtry in a Nation, at the leaſt in this, is three or four-fold greater then that of the meer rent? If the people then obſtruct Induſtry, they obſtruct their own livelihood; but if they make a War, they obſtruct Induſtry.

Take

Take the bread out of the peoples mouthes, as did the *Roman Patricians*, and you are ſure enough of a War, in which caſe they may be Levellers; but our *Agrarian* cauſeth their Induſtry to flow with milk and honey. It may be anſwer'd,

(O fortunati nimiùm, bona ſi ſua nôrint
Agricolæ)

That this is true, if the people were given to underſtand their own happineſſe; but where do they that? Let me anſwer with the like queſtion, Where do they not? They do not know their happineſſe it ſhould ſeem in *France*, *Spain*, and *Italy*: teach them what it is, and try whoſe ſenſe is the truer. But as to the late Wars in *Germany*, it hath been affirmed unto me there, that the Princes could never make the people to take Arms while they had bread, and have therefore ſuffer'd Countreys now and then to be waſted, that they might get Souldiers: This you will find to be the certain pulſe and temper of the people; and if they have been already proved to be the moſt wiſe and conſtant order of a Government; why ſhould we think, when no man can produce one example of the common Souldiery in an Army, mutinying becauſe they had not Captains pay; that the Prerogative ſhould jole the heads of the Senate together, in regard that theſe have the better Salaries, while it muſt be as obnoxious unto the People in a Nation, as to the Souldiery in an Army, that it is no more poſſible, their emoluments of this kind ſhould be afforded by any Common-wealth in the world to be made equal with thoſe of the *Senate*, then that the Common Souldiers ſhould be equall with the Captains: it is enough to the common Souldier that his virtue may bring him to be a Captain, and more unto the Prerogative, that each of them is nearer to be a *Senator*.

If my Lord think our Salaries too great, and that the Common-wealth is not Houſwife enough; whether is it better huſwifery that ſhe ſhould keep her family from the ſnow, or

ſuffer them to burn her houſe that they may warm themſelves; for one of theſe wil be; do you think that ſhe came off at a cheaper rate, when men had their rewards by a thouſand, two thouſand pounds a year in Land of Inheritance? If you ſay, that they will be more godly then they have been, it may be ill taken; and if you cannot promiſe that, it is time we find out ſome way of ſtinting at leaſt, if not curing them of that ſame *Sacra Fames*. On the other ſide, if a poor man (as ſuch an one may ſave a City) give his ſweat unto the publick, with what conſcience can you ſuffer his Family in the mean time to ſterve. But he that layes his hand unto this plough, ſhall not loſe by taking it off from his own: and a Common-wealth that will mend this, ſhall be penny-wiſe. The *Sanhedrim* of *Iſrael* being the Supream, and a conſtant Court of Judicature could not chooſe but be exceeding gainful. The *Senate* of the Bean in *Athens*, becauſe it was but annual, was moderately ſalariated, but that of the *Areopagites* being for life bountifully; which advantages the Senators of *Lacedemon* had, where there was little mony or uſe of it, was in honour for life. The *Patricians* having no profit took all; *Venice* being a ſituation, where a man goes but to the door for his imployment, the honour is great, and the reward very little: but in *Holland* a Counſellour of State hath fifteen hundred Flemiſh pounds a year, beſides other accommodations. The States General have more. And that Common-wealth looketh nearer her penny, then ours need to do.

For the Revenue of this Nation, beſides that of her induſtry, amounts, as hath been ſhewn, unto ten millions, and the Salaries in the whole, come not unto three hundred thouſand pounds a pear; the beauty they will adde unto the Common-wealth will be exceeding great, and the people delight in the beauty of their Common-wealth, the encouragement they will give unto the ſtudy of the publick very profitable, the accommodation they will afford unto your Magiſtrates, very honourable and eaſie. And the ſum, when it or twice as much

much was ſpent in hunting and houſe-keeping, was never any grievance unto the people. I am aſhamed, to ſtand huckling upon this point; it is ſordid. Your Magiſtrates are rather to be provided with farther accommodations. For what if there ſhould be ſickneſſe? whither will you have them to remove? and this City in the ſoundeſt times, for the heat of the year, is no wholſome aboad: have a care of their healths unto whom you commit your own. I would have the *Senate* and the *People*, except they ſee cauſe to the contrary; every firſt of *June*, to remove into the Country ayr, for the ſpace of three moneths: you are better fitted with Summer houſes for them, then if you had built them to that purpoſe; there is ſome twelve miles diſtant the *Convallium* upon the River *Halcionia*, for the Tribunes and the Prerogative, a Pallace capable of a thouſand men; and at twenty miles diſtant you have *Mount Celia*, reverend as well for the antiquity as ſtate of a Caſtle, compleatly capable of the Senate, the Propoſers having lodgings in the *Convallium*, and the Tribunes in *Celia*; it holds the correſpondence between the Senate and the People exactly. And it is a ſmall matter for the Propoſers, being attended with the Coaches and Officers of State, beſides other conveniences of their own, to go a matter of five or ten miles (thoſe Seats are not much farther diſtant) to meet the people upon any Heath or Field that ſhall be pointed: where having diſpatched their buſineſſe, they may hunt their own Venizon, (for I would have the great walled Park upon the *Halcionia* to belong to the Signory, and thoſe about the *Convallium* unto the Tribunes) and ſo go to ſupper. Pray my Lords, ſee that they do not pull down theſe houſes to ſell the lead of them; for when you have conſider'd on it, they cannot be ſpared. The founders of the School in *Hiera*, provided that the boyes ſhould have a Summer ſeat. You ſhould have as much care of theſe Magiſtrates. But there is ſuch a ſelling, ſuch a Jewiſh humour in our Republicans, that I cannot tell what to ſay to it; onely this, any man that knowes what belongs to a Com-

mon-wealth, or how diligent every Nation in that caſe hath been, to preſerve her ornaments, and ſhall ſee waſte lately made, the Woods adjoyning unto this City which ſerved for the delight and health of it, cut down to be ſold for three pence; will tell you, that they who did ſuch things would never have made a Common-wealth: The like may be ſaid of the ruine or damage done upon our Cathedrals, ornaments in which this Nation excels all others: nor ſhall this ever be excuſed upon the ſcore of Religion; for though true it be, that God dwelleth not in houſes made with hands, yet you cannot hold your Aſſemblies but in ſuch houſes, and theſe are of the beſt that have been made with hands. Nor is it well argued that they are pompous, and therefore prophane, or leſſe proper for Divine ſervice, ſeeing that the Chriſtians in the Primitive Church choſe to meet with one accord in the Temple; ſo far were they from any inclination to pull it down.

The Orders of this Common-wealth, ſo far, or near ſo far forth, as they concern the Elders, together with the ſeverall Speeches at the Inſtitution, which may ſerve unto the better underſtanding of them as ſo many Commentaries, being ſhewn; I ſhould now come from the Elders unto the Youth, or from the Civil Conſtitution of this Government unto the Military, but that I judge this the fitteſt place; whereinto by the way to inſert the Government of the City, though for the preſent but perfunctorily.

The

THe Metropolis *or Capitall Citty of* Oceana *is commonly called* Emporium; *though it consist of two Cities distinct, as well in name as in Government, whereof the other is called* Hiera: *For which cause I shall treat of each apart, beginning with* Emporium. The Government of *Emporium.*

Emporium *with the Libertyes, is under a twofold division, the one regarding the Nationall and the other,* Urbane *or City Government; it is divided in regard of the Nationall Government into three Tribes, and in respect of the* Urbane *into Twenty six, which for distinction sake are called Wards, being contained under the three Tribes but unequally, wherefore the first Tribe containing ten Wards is called* Scazon, *the second containing eight* Metochie, *and the third containing as many,* Telicouta: *the bearing of which names in mind concernes the better understanding of the Government.* The City Tribes and Wards.

Every ward, hath her Wardmot, *Court or Inquest, consisting of all that are of the clothing or Liveries of Companies, residing within the same.* Wardmot.

Such are of the Livery or Clothing as have obtained unto the dignity to weare Gowns and Particolour'd Hoods or Tipets according unto the Rules, and ancient Customes of their respective Companies. The Liveries.

A Company is a Brotherhood of Tradesmen, professing the same Art, governed, according unto their Charter, by a Master and Wardens: Of these there be a matter of sixty, whereof twelve are of greater dignity then the rest, that is to say the Mercers, Grocers, Drapers, Fishmongers, Gold-Smiths, Skinners, Merchant-Taylors, Haberdashers, Salters, Ironmongers, Vinters, Cloth-workers, which with most of the rest have common Halls, divers of them being of antient and magnificent Structure, wherein they have frequent meetings at the summons of their Masters, or Wardens, for the managing and regulation of their respective Trades and Mysteries. These Companies; as I shall shew, are the roots of the whole Government of the City: for the Liveries that reside in the same ward, meeting at the Wardmot inquest, *unto which it belongeth to take cognizance of all sorts of moysances, and violations of the customs and Orders of the City, and to present them unto the Court of Aldermen; have also power to make election of two sorts of Magistrates or Officers; the first of Elders or Aldermen of the Ward; the second of Deputies of the same, otherwise called Common-Council men.* The Companies. Common-Halls.

The wards in these Elections, because they do not elect all at once, but some one yeare, and some another, observe the distinction of the three Tribes; for example, the Scazon *consisting of ten Tribes, maketh* Election of Aldermen and of the Common Councill men.

maketh election the first yeare of ten Aldermen, one in each Ward, and of one hundred and fifty Deputies, fifteene in each Ward: all which are Triennial Magistrates or Officers, that is to say, are to beare their dignity for the space of three years.

The second year, the Metoche, consisting of eight Wards electeth eight Aldermen, one in each Ward; and an hundred and twenty Deputies, fifteen in each Ward; being also Trienniall Magistrates.

The third yeare Telicouta, consisting of a like number of Wards, electeth an equall number of like Magistrates for a like terme: So that the whole number of the Aldermen, according unto that of the Wards, amounteth unto twenty-six; and the whole number of the Deputies, unto three hundred and ninety.

The Court of Aldermen.

The Aldermen thus elected have divers capacities; for first, they are Justices of the Peace, for the term, and by consequence of their election; secondly, they are Presidents of the Wardmot, and Governours, each of that Ward, whereby he was elected; and last of all these Magistrates being assembled together, constitute the Senate of the City, otherwise called the Court of Aldermen: but no man is capable of this election, that is not worth ten thousand pounds: this Court upon every new Election maketh choice of censors out of their own number.

The Common-Councill.

The Deputies in like manner being assembled together, constitute the Prerogative Tribe of the City; otherwise called, the Common-Councill: by which meanes the Senate and the People of the City were caught in as it were by the rapture of the Nationall Government, to the same wheele of annuall, trienniall, and perpetuall revolution.

The Common-Hall.

But the Liveries over and above the right of these elections by their divisions mentioned; being assembled alltogether at the Guild of the City, constitute an other Assembly called the Common-Hall.

The Election of the Lord Maior and Sheriffs.

The Common-Hall hath right of two other elections; the one of the Lord Mayor, and the other of the two Sheriffs being annuall Magistrates. The Lord Major can be elected out of no other then one of the twelve Companies of the first ranks, and the Common Hal agreeeth by the plurality of Suffrages upon two names; which being preferred unto the Lord Mayor, for the time being, and the Court of Aldermen: they elect one by their scruteny, for so they call it, though it differ from that of the Common-wealth: The Orator or Assistant unto the Lord Major in the holding of his Courts is some able Lawyer elected by the Court of Aldermen, and called the Recorder of Emporium.

The

The Lord Major being thus elected, hath two capacities; the one regarding the Nation, the other the City: in that which regards the City, he is President of the Court of Aldermen, having power to assemble the same, or any other Council of the City, as the Common-Council or Common-Hall, at his will and pleasure; and in that which regards the Nation, he is Commander in Cheif, of the three Tribes, whereinto the City is divided; one of which he is to bring up in person at the Nationall Muster unto the Ballot; as his Vice Comites, *or High-Sheriffs, are to do by the other two, each at their distinct pavilion, where the nine Aldermen elected Censors, are to officiate by three in each Tribe, according unto the Rules and Orders already given unto the Censors, of the rustick Tribes: And the Tribes of the City have no other then one common* Phylarch, *which is the Court of Aldermen, and the Common-Council; for which cause they elect not at their muster the first Liste called the* Prime Magnitude.

The Conveniences of this alteration of the City Government, besides the bent of it unto conformity with that of the Nation, were many; whereof I shall mention but a few, as first, whereas men under the former administration, when the burden of some of these Magistracyes, lay for life, were oftentimes chosen not for their fitnesse, but rather unfitnesse, or at least unwillingnesse to undergo such a weight, whereby they were put at great rates to fine for their ease; a man might now take his share in Magistracy, with that equity which is due unto the publick, and without any great inconvenience unto his private affaires. Secondly, whereas the City, in as much as the Acts, of the Aristocracy or Court of Aldermen in their former way of proceeding, were rather Impositions, then Propositions, was frequently disquieted, with the inevitable consequence, in the power of debate exercised by the popular part or Common-Council; the right of debate being hence forth established in the Court of Aldermen and that of result in the Common-Council, killed the branches of division in the root, which for the present may suffice to have been said of the City of Emporium.

Some conveniences in this alteration.

That of Hiera *consisteth as to the Nationall Government of two Tribes, the first called* Agoræa, *the second* Propola: *but as to the peculiar Policy of twelve* Maniples, *or Wards divided into three cohorts each cohort containing four Wards, whereof the Wards of the first cohort elect for the first yeare four Burgesses, one in each ward; the wards of the second cohort, for the second yeare four Burgesses, one in each Ward; and the wards of the third cohort for the third yeare foure Burgesses, one in each ward; all trienniall Magistrates: by which the twelve Burgeses, making one Court for the Government of this City, according unto their instructions by act of Parliament, fall likewise into an annual, triennial, and perpetuall revolution.*

The Government of *Hiera.*

The Court.

This

The High Steward.

This Court being thus constituted, maketh election of diverse Magistrates; as first of an High Steward, who is commonly some person of quality, and this Magistracy is elected in the Senate by the scrutiny of this Court; unto him they choose some able Lawyer to be his Deputy, and to hold the Court; and last of all they elect out of their own number six Censors.

The High Steward is Commander in Chief, of the two Tribes, whereof he in person bringeth up the one at the Nationall Muster unto the Ballot, and his Deputy the other, at a distinct pavilion; the six Censors chosen by the Court officiating by three in each Tribe at the Urnes, and these Tribes, have no other Phylarch, but this Court.

As for the manner of elections, and suffrage both in Emporium *and* Hiera, *it may be said once for all, that they are performed by the Ballott, and according unto the respective rules already given. There be other Cities and Corporations throughout the territory, whose Policy being much of this kind, would be tedious and not worth the labour to insert, nor dare I stay.* Juvenum manus emicat ardens.

I returne with the method of the Common-wealth, unto the remaining part of her Orbes which are military and provinciall; the military except the Strategus, and the Polemarchs or feild Officers consisting of the youth only, and the Provinciall consisting of a mixture, both of the Elders and of the Youth.

To begin with the Youth, or the military Orbes, they are Circles unto which the Common-wealth must have a Care to keep close; A man is a Spirit raised up by the Magick of Nature; if she doe not stand safe, and so that she may set him to some good and usefull work, he spets fire, and blowes up Castles; for where there is life, there must be motion or work and the work of idlenesse is mischiefe, (*Non omnibus dormit*) But the work of industry is health. To set men unto this, the Common-wealth must begin early with them, or it will be too late: and the meanes whereby she sets them unto it, is education; the Plastick art of government. But it is as frequent as sad in experience, whether through negligence, or which in the consequence is all one, or worse, overfondnesse in domestick performance of this Duty, that innumerable Children come to owe their utter Perdition unto their own Parents; in each of which, the Commonwealth loseth a Citizen; Wherefore the Lawes of a Government how wholesome soever in themselves, being such as if men by a congruity in their Education be not brought up to find a relish in them, they

they will ſpit at: The education of a mans Children is not wholly to be committed or truſted unto himſelf. You find in Livy the Children of *Brutus*, having been bred under Monarchy, make faces at the Common-wealth of Rome, *A King* (ſay they) *is a Man, you may prevaile with him when you have need there ſhould be Law, or when you have need there ſhould be no Law. He hath favours in the right, and he frowns not in the wrong place; he knowes his friends from his Enemies. But Lawes are deafe inexorable things, ſuch as make no difference between a Gentlemen and an ordinary fellow: a Man can never be merry for them, for to truſt altogether to his own innocence is a ſad Life*: unhappy wantons! *Scipio* (on the other ſide) when he was but a Boy (ſome two or three and twenty) being informed that certaine Patricians, or Roman Gentlemen, through a qualme upon the defeate which Hanniball had given them at *Cannæ*, were laying their heads together and contriving their Flight with the tranſportation of their goods out of Rome; drew his ſword and ſetting himſelf at the doore of the Chamber where they were at Council, proteſted, *That who did not immediately ſweare, not to deſert the Common-wealth he would make his Soul to deſert his Body*. Let men argue as they pleaſe for Monarchy, or againſt a Commonwealth; the world ſhall never ſee any man ſo ſottiſh or wicked as (in cool blood) to preferre the education of the Sons of *Brutus*, before that of *Scipio*; and of this mould, except a *Melius* or a *Manlius* was the whole youth of that Commonwealth though not ordinarily ſo well caſt. Now the health of a Government, and the education of the youth being of the ſame pulſe, no wonder if it have been the conſtant practize of well order'd Commonwealths to commit the Care and feeling of it unto publique Magiſtrates. A duty that was performed in ſuch manner by the Areopagites, as is elegantly praiſed by *Iſocrates*. The Athenians, ſaith he, write not their Lawes upon dead Walls, nor content themſelves with having ordained puniſhments for Crimes, but provide in ſuch manner by the education of their youth, that there be no Crimes for puniſhment: he ſpeakes of thoſe Lawes which reguarded manners, not of thoſe orders which concerned the adminiſtration of the Commonwealth, leaſt you ſhould think he contradicts *Xenophon* and *Polibius*. The Children of *Lacedemon*, at the ſeaventh yeare of their Age, were delivered unto the pædonomi, School-Maſters, not Mercenary but Magiſtrates of the Commonwealth, unto which they were accomptable for their charge: by theſe at the age of fourteen they were preferr'd unto other Magiſtrates called the *Beidiæi*, having the inſpection of the Games, and exerciſes, among which that of the *Plataniſta* was famous, a kind of Fight in ſquadrons, but ſome-

what too fierce; when they came to be of military age, they were listed of the *Mora*, and so continued in readinesse for publique Service under the Discipline of the *Polemarches*. But the Roman Education and Discipline by the *Centurys* and *Classes* is that unto which the Commonwealth of *Oceana* hath had a more concerned eye in her three Essays, being certain degrees by which the youth commence as it were in Armes for Magistracy, as appeares by

26. *Ord.* The Twenty Sixth Order, instituting that if a Parent have but one Sonne, the Education of that one Sonne shall be wholly at the disposing of that Parent, but (whereas there be Free-Schools erected and indow'd, or to be erected and indow'd in every Tribe of this Nation, to a sufficient proportion for the Education of the Children of the same; which Schooles, to the end that there be no detriment or hindrance unto the Schollers upon case of removeing from one unto another, are every of them to be Governed by the strict inspection of the Censors of the Tribes, both upon the Schol-Masters their manner of life and teaching, and the Proficiency of the Children; after the Rules and method of that in Hiera). If a Parent have more Sons then one, the Censors of the Tribes shall animadvert upon and punnish him that sendeth not his Sons within the ninth years of their age unto some one of the Schooles of a Tribe, there to be kept and taught if he be able at his Charges, and if he be not able, Gratis till they arrive at the age of fifteen yeares. And a Parent may dispose of his Sons at the fifteenth yeare of their age, according unto his choice or ability, whether it be unto Service in the way of Apprentices unto some Trade, or otherwise, or unto farther study, as by sending them unto the Inns of Court, of Chancery, or unto one of the Universities of this Nation; but he that taketh not upon him some one of the Professions proper unto some one of those places, shall not continue longer in any of them till they have attained unto the age of eighteen yeares; and every man having not at that age of 18. yeares taken upon him, or addicted himselfe unto the profession of the Law, Theology, or Physick; and being no Servant, shall be capable of the Ellay of the youth, and no other Person whatsoever; except a man having taken upon him such a Profession, happen to lay it by, ere he arrive at three or four and twenty yeares of age, and be admitted unto this Capacity by the respective Phylarch, being satisfyed that he kept

not

not out so long with any designe to evade the service of the Commonwealth, but that being no sooner at his own disposing it was no sooner at his own choice to come in. And if any Youth or other Person of this Nation have a desire to travell into Forraigne Countries upon occasion of businesse, delight, or farther improvement of his Education; the same shall be lawfull for him upon a passe obtained from the Censors in Parliament, putting a convenient limit unto the time, and recommending him unto the Embassadours by whom he shall be assisted, and unto whom he shall yield honour and obedience in their respective residences. Every Youth at his returne from his travell, is to present the Censors with a Paper, of his own writing, containing the interest of State or forme of Government of the Countries or some one of the Countries where he hath been; and if it be good, the Censors shall cause it to be printed and published, prefixing a Line in Commendation of the Author.

Every Wednesday, next ensuing the last of December, the whole Youth of every Parish, that is to say every man (not excepted by the foregoing part of the Order) being from eighteen yeares of age to 30. shall repaire at the sound of the Bell unto the respective Church, and being there assembled in presence of the overseers, who are to governe the Ballot, and the Constable who is to officiate at the Urne, shall after the manner of the Elders, elect every fifth man of their whole number, (provided that they chuse not above one of two Brothers at one Election, nor above halfe if they be foure or upward) to be a Stratiot or Deputy of the Youth; And the list of the Stratiots so elected being taken by the overseers shall be entred in the Parish Book, and diligently preserved as a record, called the first Essay. They whose estates by the Law are able, or whose Friends are willing to mount them, shall be of the Horse, the rest are of the Foot. And he who hath been one yeare of this list is not capable of being re-elected till after one years intervall.

Every Wednesday next ensuing the last of January, the Stratiots being Mustred at the Rendevouz of their respective hundred, shall in the presence of the Jury-men, who are overseers of that Ballot, and of the High-Constable who is to officiate at the Urne, elect out of the Horse of their Troop, or Company one Captain, and one Enligne or Cornet, unto the Command of the same; And the Jury-men having entered the List of the Hundred into a Record to be dili-

gently kept at the Rendevouz of the same; the first publique Game of this Commonwealth shall begin and be performed in this manner. Whereas there is to be at every Rendevouz of an Hundred, one Cannon, Culverin, or Sakre; The prize Armes, being forged by fworne Armorours of this Common-wealth, and for their proof, besides their beauty, viewd and tryed at the Tower of Emporium, shall be exposed, by the Justice of Peace appertayning unto that Hundred; the said Justice, with the Jury-men being Judge of the Game: And the Judges shall deliver unto the Horse-man that gaines the Prize at the carrier, one suite of Armes being of the value of twenty pounds: Unto the Pikeman that gaines the Prize at throwing the Bullet, one suit of Armes of the value of ten-pounds: Unto the Musquetier that gaines the Prize at the Mark with his Musquet, one suite of Armes of the value of ten pounds; And unto the Canoneer that gaines the Prize at the Marke with the Cannon, Culverin, or Sakre, one Chaine of Silver being of the value of ten pounds. Provided, that no one Man at the same Muster play above one of the Prizes. Whosoever gaineth a Prize is bound to weare it (if it be his lot) upon Service; and no man shall sell, or give away an Armour thus won, except he have lawfully attained unto two or more of them, at the Games.

The Games being ended, and the Muster dismist, the Captaine of the Troop, or Company shall repaire with a Copy of the List unto the Lord Lievtenant of the Tribe, and the High-Constable with a Duplicate of the same unto the Custos Rotulorum, or Muster-Master-Generall, to be also communicated with the Censors, in each of which the Jury-men giving a note upon every name of an only Son shall certify that the List is without subterfuge or evasion; or, if it be not, upon whom the evasion or subterfuge lyeth, unto the end that the Phylarch or the Censors may animadvert accordingly.

And every Wednesday next ensuing the last of February, the Lord Lievtenant, Custos Rotulorum, the Censors and the Conductor shall receive the whole Muster of the Youth of that Tribe at the Rendevouz of the same, distributing the Horse and Foot with their Officers, according unto the directions given in the like case for the distribution of the Elders, and the whole squadron being put by that meanes in Batalia; the second Game of this Commonwealth shall begin, by the exercise of the Youth in all the parts of their military discipline according unto the Orders of Parliament, or direction of the Council of Warr in that Case: And the hundred pounds allowed by the Parliament for the ornament of the Muster in every Tribe,

shall

ſhall be expended by the Phylarch, upon ſuch artificiall Caſtles, Citadels, or like devices, as may make the beſt and moſt profitable ſport for the Youth and their ſpectators. Which being ended, the Cenſors having prepared the Urnes by putting into the Horſe Urne, 220. Gold Balls, whereof ten are to be marked with the Letter M. and other ten with the Letter P. Into the Foot Urne, 700. Gold Balls; whereof 50. are to be marked with the Letter M. and 50. with the Letter P. and made up the Gold Balls in each Urne by the addition of Silver Balls unto the ſame, in number equall with the Horſe and Foot of the Stratiots: the Lord Lieutenant ſhall call the Stratiots unto the Urnes, where they that draw the Silver Balls ſhall returne unto their Places; and they that draw the Gold Balls ſhall fall off to the pavilion, where, for the ſpace of one houre they may chopp and change their Balls according as one can agree with another, whoſe Lot he likes better; but the houre being out the conductor ſeperating them, whoſe Gold Balls have no letter, from thoſe whoſe Balls are marked; ſhall cauſe the Cryer to call the Alphabet, as firſt A. whereupon all they whoſe Gold Balls are not marked, and whoſe ſirnames begin with the Letter A. ſhall repaire unto a Clerk appertayning unto the Cuſtos Rotulorum, who ſhall firſt take the names of that Letter: then thoſe of B. and ſo forth, till all the names be Alphabetically enrolled; and the Youth of this Liſt being ſix hundred in a Tribe Foot, that is 30000 Foot in all the Tribes; and two hundred in a Tribe Horſe, that is 10000. Horſe in all the Tribes, are the ſecond Eſſay of the Stratiots, and the ſtanding Army of this Commonwealth to be alwaies ready upon Command to march. They whoſe Balls are marked with M. amounting by 20 Horſe, and 50. Foot in a Tribe unto 2500 Foot and 500. Horſe in all the Tribes; And they whoſe Balls are marked with P. in every point correſpondent are parts of the third Eſſay; they of M. bring forthwith to march for Mazpelia and they of P. for Panopea, to the ends and according to the further directions following in the order for the Provinciall Orbs.

If the Polemarchs, or Field Officers be elected by the Scrutiny of the Council of Warr, and the Strategus Commanded by the Parliament or the dictator to march, the Lords Lieutenants (who have power to Muſter and Diſcipline the Youth ſo often as they receive Orders for the ſame from the Council of Warr.) are to deliver the ſecond Eſſay, or ſo many of them as ſhall be Commanded unto the Conductors, who ſhall preſent them unto the Lord Strategus at the time and place appointed by his Excellency to be the Generall Rendevouz

devonze of Oceana where the Council of Warr shall have the accommodation of Horses and Armes for his men in readinesse, and the Lord Strategus, having armed, mounted, and distributed them, whether according unto the recommendation of their Prize Armes or otherwise; shall lead them away unto his Shipping, being also ready, and provided with Victualls Ammunition, Artigliery, and all other necessarys, commanding them, and disposing of the whole conduct of the Warr by his sole power and authority: and this is the third Essay of the Stratiots, which being Shipp'd, or march'd out of their Tribes, the Lords Lieutenants shall re-elect the second Essay out of the remaining part of the first; and the Senate another Strategus.

If any veterane or veteranes of this Nation, the terme of whose Youth, or militia is expired, having a desire to be entertained in the further Service of the Commonwealth shall present him or themselves at the Rendevouz of Oceana, unto the Strategus, it is in his power to take on such and so many of them as shall be consented unto by the Polemarchs, and to send back an equall number of the Stratiots.

And for the better managing of the proper Forces of this Nation the Lord Strategus by appointment of the Council of Warr, and out of such Levies as they shall have made in either or both of the Provinces, unto that end, shall receive Auxiliarys at Sea, or elsewhere at some certaine place, not exceeding his proper Armes, in number.

And whosoever shall refuse any one of his three Essays, except upon cause shewn he be dispensed withall by the Phylarch, or if the Phylarch be not assembled, by the Censors of his Tribe, shall be deemed an Helot or publique Servant, pay one fifth of his yearely revenue besides all other Taxes unto the Commonwealth for his Protection, and be incapable of bearing Magistracy except such as is proper to the Law. Nevertheless if a man have but two Sons, the Lord Lieutenant shall not suffer above one of them to come unto the Urne at one election of the second Essay: and though he have above two Sons, there shall not come above halfe the Brothers at one Election; and if a man have but one Son, he shall not come unto the Urne at all without the consent of his Parents, or his Guardians nor shall it be any reproach unto him, or impediment unto his bearing of Magistracy.

This

This for Expoditions that are Forraigne will be proved, and explained together with

The Twenty Seaventh Order, Providing in case of invasion apprehended, that the Lords High-Sheriffs of the Tribes upon Commands received from the Parliament, or the Dictator, distribute the bands of the Elders into divisions after the nature of the Essayes of the Youth, and that the second division or Essay of the Elders being made and consisting of 30000 Foot, and 10000 Horse be ready to march with the second Essay of the Youth, and be brought also by the Conductors unto the Strategus. 27. Ord.

The second Essay of the Elders and Youth being marcht out of their Tribes, the Lords High-Sheriffs and Lievtenants shall have the remayning part of the annuall Bands, both of Elders and Youth in readinesse, which if the Beacons be fired, shall march unto the Rendevouz to be in that case appointed by the Parliament or the Dictator, and the Beacons being fired, the Curiata Comitia or Parochiall Congregations shall elect a fourth, both of Elders and Youth to be immediately upon the Guard of the Tribes, and dividing themselves as aforesaid to march also in their divisions according unto Orders, which method in case of extremity shall proceed unto the election of a third, or the leavy of a second, or of the last man in the Nation, by the power of the Lords High-Sheriffs; to the end that the Commonwealth in her utmost pressure may shew her trust that God in his justice will remember mercy; by humbling her selfe, and yet preserving her courage, discipline and constancy, even unto the last drop of her blood, and the utmost farthing.

The Services performed by the youth, or by the Elders in case of Invasion, and according unto this Order, shall be at their proper cost and charges that are any wayes able to indure it, but if there be such as are known in their Parishes to be so indigent that they cannot march out of their Tribes, nor undergoe the burden, in this case incumbent, the Congregations of their Parishes shall furnish them with sufficient summes of money to be repay'd upon the Certificate of the same by the Parliament when the action shall be over. And of that which is respectively enjoyn'd by this Order, any Tribe, Parish, Magistrate, or Person that shall faile, is to answer for it at the Council of Warr, as a Deserter of his Country.

The

The *Archon* being the greateſt Captain of his, (if not of any) Age, added much unto the Glory of this Common-wealth, by interweaving the *Militia* with more Art and Luſtre then any Legiſlator from, or before, the time of *Servius Tullius*. But as the bones or Skeleton of a man, though the greateſt part of his beauty be contained in their proportion or Symmetry, yet ſhewn without fleſh, are a ſpectacle that is rather horrid; ſo without Diſcourſes, the Orders of a Common-wealth: which if ſhe go forth in that manner, may complain of her friends that they ſtand mute, and ſtaring upon her: Wherefore this Order was thus fleſhed by the *Archon*:

My Lords,

Diogenes, ſeeing a young Fellow drunk, told him that his Father was drunk when he begot him: For this in natural, I muſt confeſſe I ſee no reaſon; but in Political Generation, it is right. The Vices of the People are from their Governours. Thoſe of their Governours, from their Lawes or Orders; and thoſe of their Lawes or Orders, from their Legiſlators. (*Ut malè poſuimus initia, ſic cætera ſequuntur*;) What ever was in the womb imperfect as to her proper work, comes very rarely, or not at all to perfection: And the formation of a Citizen in the Womb of the Common-wealth, is his Education.

Cicero.

Education by the firſt of the foregoing Orders is of Six kinds; At the School, in the Mechannicks, at the Univerſities, at the Innes of Court or Chancery, in Travels, and in Military Diſcipline: Some of which I ſhall touch, and ſome I ſhall handle.

That which is propoſed for the erecting, and endowing of Schools throughout the Tribes capable of all the Children of the ſame, and able to give unto the Poor the Education of theirs *Gratis*, is only matter of direction in a caſe of very great Charity, as eaſing the needy of the Charge of their Children from the Ninth to the Fifteenth year of their Age; during which time their work cannot be profitable, and reſtoring them

them when they may be of use, furnished with tooles, whereof there be advantages to be made in every work, seeing he that can read, and use his pen, hath some convenience by it in the meanest Vocation; and it cannot be conceived, but that which comes (though in small parcels) to the advantage of every Man in his Vocation, must amount unto the advantage of every Vocation; and so unto that of the *Common-wealth*: Wherefore this is commended unto the Charity of every wise-hearted, and well-minded man to be done in time; and as GOD shall stir him up or inable him: there being such provision already in the Case, as may give us leave to proceed without obstruction.

Parents (under animadversion of the *Censors*) are to dispose of their Children at the fifteenth year of their Age unto something; but what, is left, according to their abilities or inclination, in their own Choice: This, with the Many, must be unto the Mechanicks, that is to say, unto Agriculture or Husbandry; unto Manufactures; or unto Merchandize.

Agriculture is the Bread of the Nation, we are hung upon it by the teeth; it is a mighty Nursery of Strength, the best Army, and the most assured Knapsack; it is managed with the least turbulent or ambitious, and the most innocent hands of all other Arts. Wherefore I am of *Aristotle's* opinion, That a Common-wealth of Husband-men (and such is ours) must be the best of all others. Certainly, my Lords, you have no measure of what ought to be, but what can be done for the encouragement of this Profession: I could wish I were Husband good enough to direct something to this end; but racking of Rents is a vile thing in the richer sort, an uncharitable one to the poorer; a mark of slavery, and nips your Common-wealth in the faireſt Blossom: On the other side, if there should be too much ease given in this kind, it would occasion Sloath, and so destroy Industry the nerve of a Commonwealth. But if ought might be done to hold the ballance eeven between these two, it would be a Work in this Nation equall

unto that for which *Fabius* was call'd *Maximus* by the *Romans*.

In *Manufactures* and *Merchandize* the *Hollander* hath gotten the ſtart of us; but at the long-run it will be found, that a People Working upon a Forraign Commodity, doth but firm the Manufacture, and that it is entailed upon them only, where the growth of it is native: As alſo that it is one thing to have the Carriage of other mens Goods, and another for a man to bring his own unto the beſt market. Wherefore Nature having provided encouragement for theſe Arts in this Nation above others, where the people growing, they of neceſſity muſt alſo increaſe, it cannot but eſtabliſh them upon a far more ſure and effectual Foundation then that of the *Hollanders*. But their *Educations* are in order unto the firſt things or neceſſities of nature; as *Husbandry* unto the Food; *Manufacture* unto the Clothing; and *Merchandize* unto the Purſe of the Common-wealth.

Cicero.

There be other things in Nature, which being ſecond as to their Order, for their dignity and value are firſt, and ſuch to which the other are but Accommodations; of this ſort are eſpecially theſe, *Religion*, *Juſtice*, *Courage*, *Wiſdome*.

The *Education* that anſwers unto *Religion* in our Government is that of the *Univerſities*. *Moſes* the Divine *Legiſlator* was not only learned in all the Learning of the *Egyptians*, but took into the Fabrick of his Common-wealth the Learning of the *Midianites* in the advice of *Jethro*: and his Foundation of an Univerſity laid in the Tabernacle, and finiſht in the Temple, became that Pinacle from whence all the Learning in the World hath taken wing; as the *Philoſophy* of the *Stoicks*, from the *Phariſees*; that of the *Epicureans*, from the *Sadduces*; and from the Learning of the *Jews*, ſo often quoted by our *SAVIOUR*, and fulfilled in Him, the Chriſtian Religion. *Athens* was the moſt famous *Univerſity* in her dayes and her Senators, that is to ſay, the *Areopagites* were all Philoſophers.

Acts 17.. 18.

Lacedemon

Lacedemon (to ſpeak truth) though ſhe could write and read, was not very bookiſh. But who diſputeth hence againſt Univerſities, diſputeth in the ſame Argument againſt *Agriculture*, *Manufacture*, and *Merchandize*, every one of theſe having been equally forbidden by *Lycurgus*, not for it ſelf, (for if he had not been Learned in all the Learning of *Crete*, and well travell'd in the knowledge of other Governments, he had never made his Common-wealth) but for the diverſion which they muſt have given his Citizens from their Arms, who being but few, if they had minded any thing elſe, muſt have deſerted the Common-wealth. For *Rome*, ſhe (had *ingenium par imperio*) was as Learned as Great, and held her Colledge of *Augurs* in much reverence. *Venice* hath taken her Religion upon truſt: *Holland*, cannot tend it to be very ſtudious: Nor doth *Switz* mind it much; yet are they all addicted unto their Univerſities. We cut down Trees to build Houſes, but I would have ſome body ſhew me, by what reaſon or experience, the cutting down of an Univerſity, ſhould tend unto the ſetting up of a Common-wealth. Of this I am ſure, the perfection of a Common-wealth is not to be attained unto without the knowledge of ancient Prudence; nor the knowledge of ancient prudence without Learning; nor Learning without Schools of good Literature; and theſe are ſuch as we call Univerſities. Now though meer Univerſity-Learning of it ſelf, be that which (to ſpeak the words of *Verulamius*) *Crafty men contemn, and ſimple men onely admire, yet is it ſuch as wiſe men have uſe of; for Studies do not teach their own uſe, but that is a wiſdome without, and above them, won by obſervation. Expert men may execute, and perhaps judge of particulars one by one; but the general Counſels and the plots, and the marſhalling of affairs, come beſt from thoſe that are learned.* Wherefore if you would have your children to be Stateſmen, let them drink by all means of theſe Fountains; where perhaps there was never any. But what though the water a man drinks be not nouriſhment? it is the *vehiculum* without which he cannot be nouriſhed. Nor is Religion leſſe concerned in this point than Government; For

take away your *Universities*, and in a few years you lose it.

The Holy Scriptures are written in Hebrew and in Greek, they that have neither of these Languages may think leight of both; But find me a man that hath one in perfection, the study of whose whole Life it hath not been. Again, this is apparent to us in daily Conversation, that if four or five Persons that have lived together be talking, another speaking the same Language may come in, and yet understand very little of their Discourse, in that it relateth unto Circumstances, Persons, Things, Times and Places which he knoweth not. It is no otherwise with a Man, having no insight of the times in which they were written, and the Circumstances unto which they relate, in the reading of ancient Books, whether they be Divine or humane. For example, when we fall upon the discourse about Baptisme and Regeneration, that was between our *Saviour* and *Nicodemus*, where *Christ* reproacheth him of his Ignorance in this manner: *Art thou a Doctor in Israel, and understandest not these things?* What shall we think of it? or, Wherefore should a Doctor in Israel have understood these things more then another, but that both *Baptisme* and *Regeneration* (as was shewed at large by my Lord *Phosphorus*) were Doctrines held in *Israel*? Instance in one place of a hundred, which he that hath not mastered the circumstances unto which they relate, cannot understand. Wherefore to the understanding of the Scripture, it is necessary to have ancient Languages, and the knowledge of ancient times, or the ayd of them who have such knowledg; and to have such as may be alwaies able and ready to give such ayd, (unlesse you would borrow it of another Nation, which would not only be base, but deceitful) it is necessary unto a Common-wealth that she have Schools of good Literature, or Universities of her own. We are Commanded (as hath been said more then once) to search the Scriptures; And whether do they search the Scriptures that take this pains in ancient Languages and Learning? or they that will not, but trusting unto Translations onely, and to words as they sound unto present Circumstances? than which nothing

nothing is more fallible, Or certain to loſe the true ſenſe of Scriptures, pretend to be above humane underſtanding, for no other cauſe then that they are below it? But in ſearching the Scriptures by the proper uſe of our Univerſities, we have been heretofore bleſſed with greater Victories and Trophies againſt the purple Hoſts, and golden Standards of the Romiſh Hierarchy, than any Nation; and therefore, why we ſhould relinquiſh this upon the preſumption of ſome, that becauſe there is a greater Light they have it, I do not know. There is a greater Light then the Sun, but it doth not extinguiſh the Sun, nor doth any Light of GOD's giving extinguiſh that of Nature, but encreaſe and Sanctifie it. Wherefore, neither the honour borne by the *Iſraelitiſh*, Roman, nor any other Commonwealth that I have ſhewn, unto their Eccleſiaſticks conſiſted in being governed by them, but in conſulting them in matter of Religion; upon whoſe *reſponſa*, or Oracles, they did afterwards as they thought fit. Nor would I be miſtaken, as if by affirming the Univerſities, to be in order both unto Religion and Government, of abſolute neceſſity, I declared them or the Miniſtry in any wiſe fit to be truſted ſo far as to exerciſe any power not derived from the civill Magiſtrate, in the adminiſtration of either. If the Jewiſh Religion were directed and eſtabliſhed by *Moſes*, it was directed and eſtabliſhed by the civill Magiſtrate; or if *Moſes* exerciſed this adminiſtration as a Prophet, the ſame Prophet did inveſt with the ſame adminiſtration, the *Sanhedrim*, and not the Prieſts; and ſo doth our Commonwealth, the Senate and not the Clergy. They who had the ſupreme Adminiſtration or Government of the Nationall Religion in *Athens*, were the firſt *Archon*, the (*Rex Sacrificus*, or) High Prieſt, and Polemarch; which Magiſtrates were ordained or elected, (*per χειροτονιαν*) by the holding up of Hands, in the Church, Congregation, or *Comitia* of the People. The Religion of *Lacedemon* was governed by the Kings, who were alſo high Prieſts, and officiated at the ſacrifice, theſe had power to ſubſtitute

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their *Pythii*, Embaſſadors or Nuncios by which not without concurrence of the Senate they held intelligence with the Oracle of *Apollo* at *Delphos*. And the Eccleſiaſticall part of the Commonwealth of *Rome* was governed by the *Pontifex Maximas*, the *Rex Sacrificulus*, and the *Flamines*, all ordained or elected by the people, the *Pontifex*, *Tributis*; the King, *Centuriatis*; and the *Flamines* or Pariſh Preiſts, *Curiatis Comitiis*. I do not mind you of theſe things, as if for the matter there were any parallel to be drawn out of their ſuperſtitions to our Religion; but to ſhew that for the manner, ancient prudence is as well a rule in divine as humane things; nay, and ſuch an one as the Apoſtles themſelves, ordaining Elders by the holding up of hands in every Congregation, have exactly follow'd; for ſome of the Congregations where they thus ordeined Elders were thoſe of *Antioch*, *Iconium*, *Lyſtra*, *Derbe*, the Country of *Lycaonia*, *Piſidia*, *Pamphylia*, *Perga*, with *Attalia*. Now that theſe Cittys and Countrys when the *Romans* propagated their Empire into *Aſia*, were found moſt of them Commonwealths, and that many of the reſt were indued with like power, ſo that the people living under the protection of the *Romane* Emperors, continued to the elect their own Magiſtrates, is ſo known a thing; that I wonder whence it is, men quite contrary unto the univerſall proof of theſe examples, will have Eccleſiaſticall Government to be neceſſarily diſtinct from civill power, when the right of the Elders ordained by the holding up of hands in every Congregation, to teach the people, was plainly derived from the ſame civill power by which they ordained the reſt of their Magiſtrates. And it is no otherwiſe in our Commonwealth; where the Parochiall Congregation electeth or ordaineth her Paſtor. To object the Commonwealth of *Venice* in this place were to ſhew us that it hath been no otherwiſe, but where the civill power, hath loſt the liberty of her Conſcience by embracing of Popery: as alſo that to take away the liberty of conſcience in this adminiſtration from the civill power, were a proceeding which hath no other preſident, than

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ſuch as is Popiſh. Wherefore your Religion is thus ſettled; the Univerſities are the ſeminaries of that part which is nationall, by which meanes others withall ſafely may be permitted to follow the liberty of their conſciences, in reguard that however they behave themſelves, the ignorance of the unlearned in this caſe cannot loſe the religion, nor diſturb the Government; which otherwiſe it would moſt certainely do, and the univerſities with their Emoluments, as alſo the Benefices of the whole Nation are to be improoved by ſuch Augmentations, as may make a very decent and comfortable ſubſiſtance for the Miniſtry, which is neither to be allow'd Synods nor Aſſemblies, (but upon the occaſion ſhewn in the Univerſities, they are conſulted by the Councill for Religion, ſuffred to meddle with affaires of State) nor to be capable of any other publick preferment whatſoever; by which means the intereſt of the learned can never come to corrupt your Religion, nor diſturb your Government; which otherwiſe it would moſt certainly do. *Venice*, though ſhe do not ſee, or cannot help the corruption of her Religion, is yet ſo circumſpect to avoid diſturbance in this kind of her Government, that her Council proceeds not unto election of Magiſtrates, till it be proclaimed, *Fora Papalini*, by which words ſuch as have conſanguinity with red hats, or relation unto the Court of *Rome*, are warned to withdraw. If a Miniſter in *Holland* meddle with matter of State, the Magiſtrate ſendeth him *a pair of ſhooes*, whereupon if he do not go, he is driven away from his charge. I wonder why Miniſters of all men ſhould be perpetually tampering with Government, firſt becauſe they as well as others have it in expreſſe charge to ſubmit themſelves unto the Ordinances of men; and ſecondly, becauſe theſe Ordinances of men muſt go upon ſuch Politicall Principles; as they of all others (by any thing that can be found in their writings or actions) leaſt underſtand: whence you have the ſuffrage of all Nations unto this ſenſe: An ounce of wiſdom is worth a pound of Clergy: Your greateſt Clerks are not your wiſeſt men: and when ſome foul abſurdity in State is committed, it

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is common with the *French*, and even the *Italians*, to call it *Pas de Clerc*, or, *Governo du Prete*. They may bear with men that will be preaching without ſtudy, while they will be governing without Prudence. My *Lords*, if you know not how to rule the Clergy, you will moſt certainly be like a man that cannot rule his Wife; have neither quiet at home, nor honour abroad. Their honeſt Vocation is to teach your Children at the Schools and the Univerſities, and the people in the Pariſhes; and Yours is concern'd to ſee that they do not play the ſhrewes: of which parts conſiſts the Education of your Common-wealth, ſo far forth as it regards Religion.

To *Juſtice*, or that part of it which is commonly executive, anſwers the *Education* of the *Inns of Court*, or *Chancery*. Upon which (to Philoſophize) requires a peculiar kind of Learning that I have not. But they who take upon them any Profeſſion proper unto the Educations mentioned, that is, *Theology*, *Phyſick*, *Law*, are not at leiſure for the Eſſayes: Wherefore the Eſſays being Degrees, whereby the Youth Commence for all Magiſtracies, Offices and Honours in the Pariſh, Hundred, Tribe, Senate, or Prerogative; *Divines*, *Phyſicians*, and *Lawyers*, not taking theſe Degrees, exclude themſelves from all ſuch Magiſtracies, Offices, and Honours. And whereas *Lawyers* are likeſt to exact farther reaſon for this: They growing up from the moſt gainful Art at the Barr, unto thoſe Magiſtracies upon the Bench, which are continually appropriated to themſelves; and not onely endowed with the greateſt Revenues, but held for life; have the leaſt reaſon of all the reſt to pretend unto any other; Eſpecially in an equal Commonwealth, where Accumulation of Magiſtracy, or to take a Perſon engaged by his Profit unto the Lawes as they ſtand, into the Power which is Legiſlative, and ſhould keep them unto what they were, or ought to be, were a *Solœciſme* in Prudence. It is true, that the Legiſlative power may have need of Advice and Aſſiſtance from the executive Magiſtracy, or ſuch as are learned in the Law; for which Cauſe the *Judges* are, (as they have

have heretofore been) Aſſiſtants in the Senate. Nor, however it came about, can I ſee any reaſon why a Judge, being but an Aſſiſtant, a Lawyer, ſhould be a member of a Legiſlative Council.

I deny not, that the *Roman Patricians* were all Patrons, and that the whole People were Clients, ſome unto one family, and ſome unto another, by which means they had their Cauſes pleaded and defended in ſome appearance *gratis*; for the Patron took no money; though if he had a daughter to marry, his Clients were to pay her portion: nor was this ſo much. But if the Client accuſed his Patron, gave teſtimony or Suffrage againſt him, it was a crime of ſuch nature, that any man might lawfully kill him as a Traytor: and this, as being the nerve of the *Optimacy*, was a great cauſe of ruine unto that Common-wealth: for when the people would carry any thing that pleaſed not the *Senate*, the Senators were ill provided if they could not intercede, that is, oppoſe it by their Clients; with whom, to vote otherwiſe then they pleaſed, was ſo high a Crime. The obſervation of this bond till the time of the *Gracchi* (that is to ſay, till it was too late, or to no purpoſe, to break it) was the cauſe, why in all the former heats and diſputes that had happened between the Senate and the People, it never came to blowes; which was good: but withall, the people could have no remedy, which was Evil: Wherefore I am of opinion, that a Senator ought not to be a Patron or Advocate; nor a Patron or Advocate to be a Senator; for if his practice be *gratis*, it debaucheth the people; and if it be mercenary, it debaucheth himſelf: take it which way you will, when he ſhould be making of Lawes, he will be knitting of Nets.

Lycurgus, as I ſaid, by being a Traveller, became a Legiſlator; but, in times, when Prudence was another thing: Nevertheleſſe we may not ſhut out this part of *Education*, in a Common-wealth which will be her Self a Traveller; for thoſe of this make, have ſeen the World; eſpecially, becauſe this

(though it be not regarded in our times, when things being left to take their chance, it fares with us accordingly) is certain; No man can be a Polititian, except he be first an Historian or a Traveller; for except he can see what Must be, or what May be, he is no Polititian: Now if he have no knowledge in story, he cannot tell what hath been; and if he hath not been a Traveller, he cannot tell what is: but he that neither knoweth what hath been, nor what is; can never tell what must be, or what may be. Furthermore, the Embassies in ordinary by our constitution, are the Prizes of young men, more especially such as have been Travellers. Wherefore they of these inclinations, having leave of the *Censors*, owe them accompt of their time, and cannot choose but lay it out with some ambition of Praise, or Reward, where both are open: whence you will have eyes abroad, and better choice of Publique Ministers: your Gallants shewing themselves not more unto the Ladies at their balls, than unto your Commonwealth at her Academy, when they return from their Travels.

But this Common-wealth being constituted more especially of two Elements, *Arms*, and *Councils*, driveth by a natural instinct, at *Courage* and *Wisdome*, which he who hath attained, is arriv'd at the perfection of humane nature. It is true, that these Virtues must have some naturall root in him that is capable of them; but this amounteth not unto so great a matter as some will have it. For if Poverty make an industrious; a moderate Estate, a temperate; and a Lavish fortune, a Wanton Man; and this be the common course of things; Wisdom is rather of necessity, than *Inclination*. And that an Army which was meditating upon Flight, hath been brought by Despair to win the Field, is so far from being strange, that like Causes will evermore produce like Effects. Wherefore this Common-wealth driveth her Citizens like Wedges, there is no way with them but through; nor end, but that Glory whereof Man is capable by Art or Nature. That the Genius of the *Roman* Families preserved it self throughout the line: as to instance in some, that the *Manlii* were still severe; the

Publicolæ

Publicolæ lovers; and the *Appii* haters of the people, is attributed by *Machiavill* unto their Education: nor, if intereſt might adde unto the reaſon, why the Genius of a *Patrician* was one thing, and that of a *Plebeian* another; is the like ſo apparent between different Nations, who according unto their different Educations have yet as different manners. It was anciently noted, and long confirmed by the *French*, that in their firſt aſſaults their courage was more then that of men; and for the reſt leſſe then that of women: which nevertheleſſe through the amendment of their diſcipline, we ſee to be otherwiſe. I will not ſay, but that ſome Man or Nation upon equall improvement of this kind may be lighter then ſome other; but certainly, Education is the ſcale without which no Man or Nation can truly know his or her own weight or value. By our Hiſtories we can tell when one *Marpeſian* would have beaten ten *Oceaners*; and when one *Oceaner* would have beaten ten *Marpeſians*. *Marc Anthony* was a *Roman*, but how did that appear in the embraces of *Cleopatra*? You muſt have ſome other Education for your Youth; or they, like that paſſage, will ſhew better in Romance, then true Story.

The Cuſtom of the Common-wealth of *Rome* in diſtributing her Magiſtracies without reſpect of age, happened to do well in *Corvinus* and *Scipio*; for which cauſe *Machiavill* (with whom that which was done by *Rome*, and that which is well done, is for the moſt part all one) commendeth this courſe. Yet how much it did work at other times, is obvious in *Pompey* & *Cæſar*; examples by which *Bocalini* illuſtrateth the Prudence of *Venice* in her contrary practice, affirming it to have been no ſmall ſtep unto the ruine of the *Roman* Liberty, that theſe having taſted in their Youth of the Supream Honours; had no greater in their age to hope for, but by perpetuating of the ſame in themſelves, which came to Blood, and ended in Tyranny. The opinion of *Verulamius* is ſafe; *The Errours* (ſaith he) *of Young Men are the ruine of Buſineſſe; whereas the errours of aged men amount but to this, that more might have been*

done or ſooner. But though their Wiſdome be little, their Courage is great. Wherefore (to come unto the main Education of this *Common-wealth*) the *Militia* of *Oceana* is the Province of Youth.

The diſtribution of this Province by the Eſſays is ſo fully deſcribed in the Order, that I need repeat nothing. The Order it ſelf being but a Repetition or Copy of that Originall, which in ancient Prudence is, of all other, the faireſt; as that from whence the *Commonwealth* of *Rome*, more eſpecially derived the Empire of the World; And there is much more reaſon in this age, when Governments are univerſally broken, or ſwerved from their Foundations, and the People groan under Tyranny, that the ſame cauſes (which could not be withſtood when the World was full of Popular Governments) ſhould have the like effect.

The Cauſes in the *Common-wealth* of *Rome*, whereof the Empire of the World was not any miraculous, but a naturall (nay I may ſafely ſay neceſſary) conſequence are contained in that part of her diſcipline which was domeſtick, and in that which ſhee exerciſed in her provinces or conqueſt. Of the latter I ſhall have better occaſion to ſpeak when we come unto our Provinciall Orbes; the former divided the whole People by Tribes, amounting, as *Livy* ſhewes, at their full growth unto thirty five; and every Tribe by the Cenſe or valuation of Eſtates into five Claſſes, for the ſixth being *Proletary* that is, the Nurſery, or ſuch as through their Poverty contributed nothing to the Commonwealth but Children, was not reckoned nor uſed in Armes: And this is the firſt point of the Militia; in which Moderne Prudence is quite contrary unto the Ancient; for whereas we excuſing the rich, and arming the Poore, become the vaſſalls of our Servants, they by excuſing the Poor and Arming ſuch as were rich enough to be Freemen, became Lords of the *Earth*. (The Nobility and Gentry of this Nation, who underſtand ſo little what it is to be Lords

of

of the Earth, that they have not been able to keep their Lands; will think it a ſtrange education for their Children to be common Souldiers, and obliged unto all the duties of Armes; nevertheleſſe it is not for 4, s. a week, but to be capable of being the beſt man in the Feild or in the City: the latter part of which conſideration makes the Common Souldier in this, a better man then the Generall of any Monarchicall Army. And whereas it may be thought, that this would drink deep of Noble Blood; I dare boldly ſay, take the *Roman* Nobility in the heat of their fierceſt Warrs, and you ſhall not find ſuch a ſhambles of them as hath been made of ours by meer luxury and ſlothfullneſſe; which killing the body,

(*Animaſq; in vulnere ponunt.*)

kill the Soul alſo; whereas Common right is that which who ſtands in the vindication of, hath uſed that Sword of Juſtice for which he receiveth the purple of Magiſtracy: the glory of a man on Earth can go no higher, and if he fall he riſeth, and comes ſooner unto that reward which is ſo much higher as Heaven is above Earth. To return unto the *Roman* example.) Every *Claſſis* was divided (as hath been more then once ſhewn) into Centurys, and every Century was equally divided into Youth and Elders; the Youth for Forraigne Service, and the Elders for the Guard of the Territory. In the firſt *Claſſis* were a matter of eighteene Centurys of Horſe being thoſe which by the Juſtitution of *Servius* were firſt called unto the ſuffrage (*Centuriatis.*) But the *delectus*, or Levy of an Army (which is the preſent buſineſſe) proceeded according to *Polybius* in this manner.

Upon a Warr decreed, the Conſuls elected four and twenty military Tribunes or Colonels; whereof ten, being ſuch as had merited their tenth Stipend, were younger Officers. The Tribunes being choſen, the Conſuls appointed the day unto the Tribes, when thoſe in them of military Age were to appear at the *Capitol*; The day being come, and the Youth Aſſembled accordingly, the Conſuls aſcended their Tribunal, and

and the younger Tribunes were forthwith divided into four parts after this manner: foure were assigned unto the first *Legion*, (a Legion at the most consisted of 6000 Foot, and 300 Horse) three unto the second, four unto the third, and three unto the fourth; the younger Tribunes being thus distributed, two of the Elder were assigned unto the first Legion, three unto the second, two unto the third, and three unto the fourth. And the Officers of each Legion thus assigned, having drawn the Tribes by Lots, and being seated according unto their divisions at a convenient distance from each other; the Tribe of the first Lot was called: whereupon they that were of it knowing the businesse, and being prepared, presently bolted out four of their Number, in the choice whereof such care was taken, that they offered none that was not a Citizen; no Citizen that was not of the Youth; no Youth that was not of some one of the five Classes, nor any one of the five Classes that was not expert at his Exercizes. Moreover, they used such diligence in matching them for age and stature, that the Officers of the Legions, except they happened to be acquainted with the Youths so bolted, were forced to put themselves upon fortune, while they of the first Legion chose one; they of the second, the next; they of the third, another; and the fourth Youth fell to the last Legion, and thus was the election (the Legions and the Tribs varying according unto their Lots) carryed on till the Foot were compleat. The like Course with little alteration was taken by Horse Officers till the Horse also were compleat. This was called giving of Names (which the Children of *Israel* did also by Lot) and if any Man refused to give his Name, he was sold for a slave, or his Estate confiscated to the Commonwealth (*Marcus Curius Consul cum subitum delectum edicere coactus esset & juniorum nemo respondisset conjectis in sortem omnibus, Polliæ* (it is the name of a Tribe) *quæ proxima exierat, primum nomen urnâ extractum citari jussit, neq; eo respondente, bona Adolescentis hastâ subjecit*, which was conformable unto the Law in *Israel*, according whereunto *Saul* took a yoak of Oxen, and hewed them in pieces, and sent them throughout the

Judg. 20. 9.

Valerius.

the Tribes, saying, *Whosoever cometh not forth (unto battel) after Saul and Samuel, so shall it be done unto his Oxen.* By which you may observe also, that they who had no cattle were not of the Militia in *Israel.* But the age of the *Roman* Youth (*Lege Tullia*) determined at 30. and by the Law (though it should seem by *Machiavill* and others, that this was not well observed) a Man could not stand for Magistracy till he (was *miles emeritus*) had fulfill'd the full term of his Militia, which was compleat in his tenth stipend or Service: nor was he thence forth obliged under any penalty to give his name, except the Commonwealth were invaded, in which case the Elders were as well obliged as the Youth, (*Quod per magnos tumultus fieri solitum erat, justitio indicto, delectus sine vacationibus habitus est*) The Consul might also Levy (*Milites evocatos*) commanded-Men out of such as had served their terme, and this at his Discretion. The Legions being thus compleat, were divided by two unto each Consul; and in these no man had right to serve, but a Roman Citizen; Now because two Legions made but a small Army, the *Romans* added unto every one of their Armies an equall number of Foot, and a double number of Horse Levied among their *Latine* or *Italian* Associates; so a Consular Army with the Legions and Auxiliaries, amounted to about Thirty thousand: and whereas they commonly levy'd two such Armies together, these being joyned made a matter of 60 thousand.

1 *Sam.* 11. 7.

Livy.

The Steps whereby our *Militia* followes the greatest Captain, are the three Essays; the first elected by a fifth man (*Curiatis*) in the Parishes, amounting in the whole unto One hundred thousand, choosing their Officers (*Centuriatis*) at the Hundreds, where they fall also unto their Games, or Exercises, invited by handsome Prizes, such as for themselves and the honour of them will be coveted; such as will render the Hundred a place of Sports, and exercise of Arms all the year long; such as in the space of ten years will harnoyse you 30000 Men Horse and Foot, with such Arms for their Forge,

proof,

proof, and beauty, as (notwithſtanding the *Argyraſpides*, or ſilver ſhields of *Alexanders* guard) were never worn by ſo many; ſuch as will preſent marks of Virtue and direction unto your General or *Strategus* in the diſtribution of his Army, which doubles the value of them, unto the Proprietors, who are bound to wear them, and eaſeth the Common-wealth of ſo much Charge, ſo many being Armed already. But here will be the Objection, now. How ſhall ſuch a Revenue be compaſſed? Fifty pounds a year in every Hundred is a great deal, not ſo eaſily raiſed: men will not part with their money; nor would the ſum as it is propoſed by the Order of *Pompe*, riſe in many years. Theſe are difficulties that fit our Genius exactly: And yet a Thouſand pounds in each Hundred once levied, eſtabliſheth the Revenue for ever. Now the Hundreds one with another are worth ten thouſand pounds a year dry rent, over and above Perſonal Eſtates, which bring it unto twice the value. So a twentieth part of one years Revenue of the Hundred, does it. If you cannot afford this while you pay Taxes, though from henceforth they will be but ſmall ones, do it when you pay none: If it be then too much for one year, do it in two: If it be too much for two years, do it in four. What Husbands have we hitherto been? What is become of greater Summes? My Lords, if you ſhould thus caſt your bread upon the waters, after many daies you would find it: ſtand not huckling, when you are offer'd Corn and your money again in the mouth of the Sack.

But to proceed: The firſt Eſſay being Officer'd at the Hundreds, and muſtred (*Tributis*) at the Tribes, where they are entertain'd with other Sports, which will be very fine ones; Proceed unto the Election of the ſecond Eſſay, or ſtanding Army of this Nation conſiſting of thirty thouſand Foot, and ten thouſand Horſe; and theſe (upon a War decreed) being delivered at the Rendezvouz of *Oceana* unto the *Strategus*, are the third Eſſay, which anſwereth unto the *Roman* Legions. But you may obſerve, that whereas the Conſuls elected the

Military

Military Tribunes, and raiſed Commanded men out of the Veteranes at their own diſcretion: Our *Polemarchs* or Field-Officers are elected by the Scrutiny of the Council of Warre; and our Veteranes not otherwiſe taken on, than as Voluntiers, and with the conſent of the *Polemarchs*, which may ſerve for the removall of certain Scruples which might otherwiſe be incident in this place, though without encouragement by the *Roman* way of proceeding, much leſſe that which is propoſed. But whereas the *Roman* Legions in all amounted not in one Army to above 30000 Men, or little more, you have here Fourty thouſand; and whereas they added *Auxiliaries*, in this regard it is that *Marpeſia* will be of greater Revenue unto you, then if you had the *Indies*; for whereas heretofore She hath brought you forth nothing but her native Thiſtle: ploughing out the rankneſſe of her *Ariſtocracy* by your *Agrarian*, you will find her an inexhauſtible Magazine of Men, and to her own advantage, who will make a far better Accompt by the Arms, then by the Pins of *Poland*: Wherefore as a Conſular Army conſiſted of about an equall number of Auxiliaries added unto their Legions by their *Latine* or *Italian* Aſſociates, you may adde unto a Parliamentary Army an equall number of *Marpeſians*, or *Panopeans*, as that Colony ſhall hereafter be able to ſupply you. By which means the Common-wealth will be able to go forth to Battail with Fourſcore thouſand Men. To make Wars with ſmall Forces is no Husbandry, but a waſte, a diſeaſe, a lingring and painful Conſumption of Men and Money; the *Romans* making theirs thick, made them ſhort, and had little regard unto money, as that which they who have men enow, can command where it is fitteſt that it ſhould be Levied. All the ancient *Monarchies* by this means got on wing, and attain'd unto vaſt Riches. Whereas your Modern Princes being dear Purchaſers of ſmall parcels, have but empty Pockets. But it may be that ſome will accuſe the Order, of raſhneſſe; in that it committeth the ſole Conduct of the War unto the General; and the Cuſtom of *Venice* by her *Proveditori*, or Checks upon her Commanders in Chief, may

ſeem to be of greater Prudence; but in this part of our Government neither *Venice*, nor any Nation that maketh uſe of mercenary Forces, is for our Inſtruction. A mercenary Army, with a ſtanding *Generall*, is like the fatall Siſter that Spins: But proper Forces, with an annuall Magiſtrate, are like Her that cuts the thread. Their Intereſts are quite contrary, and yet you have a better *Proveditor* then the *Venetian*, another *Strategus* ſitting with an Army ſtanding by him; whereupon that which is marching, if there were any probability it ſhould, would find as little poſſibility that it could recoyl, as a Forraign Enemy to invade you. Theſe things conſidered, a War will appear to be of a contrary nature unto that of all other reckonings, in as much as of this, you muſt never look to have a good accompt if you be ſtrict in impoſing Checks. Let a Council of *Huntſ-men* aſſembled before-hand, tell you which way the Stagg ſhall run, where you ſhall caſt about at the fault, and how you ſhall ride to be in at the Chaſe all the day: but theſe may as well do that, as a Council of War direct a General. The hours that have painted wings, and of different colours, are his Counſel: he muſt be like the eye that maketh not the ſcene, but hath it ſo ſoon as it changes. That in many Counſellors there is ſtrength, is ſpoken of civill Adminiſtrations; As to thoſe that are Military, there is nothing more certain, then that in many Counſellors theſe is weakneſſe. Joynt Commiſſions in Military affairs are like hunting your Hounds in their Couples: In the *Attick* War, *Cleomenes* and *Demaratus*, Kings of *Lacedemon*, being thus coupled, tugg'd one againſt another; and while they ſhould have joyn'd againſt the *Perſian*, were the Cauſe of the calamity: whereupon that Common-wealth took better Counſel, and made a Law, whereby from thenceforth there went at once but one of her Kings unto Battail.

The Fidenati *being in rebellion, and having ſlain the Colony of the* Romans; *four Tribunes with Conſular power were created by the people of* Rome, *whereof one being left for the guard of the City, the*

the other three were ſent againſt the Fidenati, *who through the diviſion that happened among them, brought nothing home but diſhonour: whereupon the* Romans *created the Dictator; (and* Livy *gives his judgment in theſe words: Tres Tribuni, poteſtate Conſulari, documento fuêre, quàm plurimum imperium bello inutile eſſet; tendendo ad ſua quiſq; conſilia, cum alii aliud videretur, aperuerunt ad occaſionem, locum hoſti) when the Conſuls,* Quictius *and* Agrippa, *were ſent againſt the* Æqui, Agrippa *for this reaſon refuſed to go forth with his Colleague, (ſaying; Saluberrimum in adminiſtratione magnarum rerum, ſummam imperii apud unum eſſe) And if the ruine of Modern Armies were well conſidered, moſt of it would be found to have fallen upon this Point: it being in this caſe far ſafer to truſt unto any one Man of common Prudence, then to any two or more together of the greateſt Parts.* The Conſuls indeed being equal in Power, while one was preſent with the Senate, and the other in the Field with the Army, made a good Ballance; and this with us is exactly follow'd by the Election of a new *Strategus* upon the march of the old one.

The Seven and twentieth Order, Whereby the Elders in caſe of Invaſion are obliged unto equall duty with the Youth, and each upon their own Charge, is ſuitable unto reaſon; (for every Man defends his own Eſtate); and unto our Copy, as in the War with the *Samnites* and *Tuſcans.* (*Senatus juſtitium indici, delectum omnis generis hominum haberi juſſit: nec ingenui modo, et juniores Sacramento adacti ſunt, ſed ſeniorum etiam cohortes factæ.*) This Nation of all others is the leaſt obnoxious unto Invaſion. *Oceana* (ſaith a *French* Polititian) is a Beaſt that cannot be devoured but by her Self; Nevertheleſſe, that Government is not perfect which is not provided at all points; and in this (*ad Triarios res rediit*) the Elders being ſuch as in a martial State muſt be Veterans; the *Common-wealth* invaded gathers ſtrength (like *Antæus*) by her fall, whilſt the whole number of the Elders conſiſting of five hundred thouſand, and the Youth of as many (being brought up according unto the Order) give twelve Succeſſive Battels, each Battel conſiſt-

ing of Eighty thouſand Men, half Elders, and half Youth: And the *Common-wealth* whoſe Conſtitution can be no ſtranger unto any of thoſe virtues which are to be acquired in humane life, growes familiar with Death ere She dye. If the hand of God be upon her for her tranſgreſſions, She ſhall mourn for her ſins, and lye in the duſt for her iniquities, without loſing of her manhood.

(*Si fractus illabatur orbis*
Impavidam ferient ruinæ.)

The remaining part being the Conſtitution of the Provinciall Orbe is partly Civill, or conſiſting of the Elders; and partly Military, or conſiſting of the Youth. The Civil part of the Provincial Orbe is directed by

28. *Ord. Conſtitution of the Civill part of the* Provinciall Orbe.

The Twenty-Eighth Order; Whereby the Council of a Province being conſtituted of twelve Knights, divided by four into three Regions (for their terme and revolution conformable unto the Parliament) is perpetuated by the annuall election at the Tropick of four Knights (being triennial Magiſtrates) out of the Region of the Senate whoſe terme expireth; and of one Knight out of the ſame Region to be Strategus, or General of the Province, which Magiſtracy is annuall. The Strategus or Magiſtrate thus choſen, ſhall be as well Preſident of the Provinciall Council with power to propoſe unto the ſame, as General of the Army. The Council for the reſt ſhall elect weekly Provoſts, having any two of them alſo right to propoſe, after the manner of the Senaterian Councils of Oceana. And whereas all Provinciall Councils are members of the Council of State, they may and ought to keep diligent correſpondence with the ſame; which is to be done after this manner; Any opinion or opinions Legitimately propoſed and debated at a Provinciall Council; being thereupon ſigned by the Strategus, or any two of the Provoſts, may be tranſmitted unto the Council of State in Oceana: and the Council of State proceeding upon the ſame in their naturall Courſe (whether by their own Power if it be a matter within their inſtructions, or by authority of the Senate, thereupon conſulted, if it be a matter of State which is not in their inſtructions or by authority of the Senate and Command of the People, if it be a matter of Law, as for the

Levies

Levys of Men or Money upon common use and safety) shall returne such answers, advice, or Orders, as in any of the ways mentioned shall be determined upon the Case. The Provinciall Councils of Marpesia and Panopea respectively shall take especiall care that the Agrarian Laws, as also all other Laws that be or shall from time to time be enacted by the Parliament of Oceana, for either of them, be duely put in execution; They shall mannage and receive the Customs of either Nation for the Shipping of Oceana being the Common Guard, they shall have a care that moderate and sufficient pay upon the respective Province be duely raysed for the support and maintenance of the Officers and Souldiers, or Army of the same in the most effectuall constant and convenient way. They shall receive the Regalia, or publique Revenues of those Nations, out of which every Counsellor shall have for his terme, and unto his proper use, the Summe of 500*l.* per annum; and the Strategus 500*l.* as President, besides his pay as Generall, which shall be 1000 pounds: the remainder to go unto the use of the Knights and Deputies of the respective Provinces, to be paid if it will reach, according unto the rates of Oceana; if not, by an equall distribution, respectively; or the overplus, if there be any, to be returned unto the Treasury of Oceana. They shall mannage the Lands (if there be any such holden in either of the Provinces by the Common-wealth of Oceana, in Dominion) and return the Rents into the Exchequer. If the Commonwealth come to be possessed of richer provinces, the pay of the Generall or Strategus, and of the Councills may be respectively encreased. The People for the rest shall elect their own Magistrates, and be governed by their own Lawes having power also to appeale from their Native, or Provinciall Magistrates if they please unto the People of Oceana. And whereas there may be such as receiving Injury are not able to prosecute their appeales at so great a distance: Eight Serjants at Law being sworne by the Commissioners of the Seale shall be sent by foure into each Province once in two yeares, who dividing the same by Circuits, shall heare such Causes and having gathered and introduced them shall returne unto the severall Appellants, Gratis, the Determinations and Decrees of the People in their severall Cases.

The terme of a Knight in a Provinciall Orbe as to domestick Magistracies shall be esteemed a Vacation and no barr unto present

Election

Election into any other Honour, his Provinciall Magistracy being expired.

The Quorum of a Provinciall Council, as also of every other Council or Assembly in Oceana, shall in time of health consist of two parts in three, of the whole number proper unto that Council or Assembly; and, in a time of Sickneſſe, of one part in three; But of the Senate there can be no Quorum without three of the Signory: nor of a Council without two of the Provosts.

The Civil part of the Provinciall Orbe being declared by the foregoing Order; The military part of the same is constituted by

29. Ord. *Constitution of the Military part of the* Provinciall Orbe.

The Twenty Ninth Order; Whereby the Straliots of the third Essay, having drawn the Gold Balls marked with the Letter M. and being ten Horſe fifty Foot in a Tribe, that is to say, five hundred Horſe, and two thousand five hundred Foot in all the Tribes shall be delivered by the respective Conductors unto the Provinciall Strategus, or Generall, at such a time and place or Rendevouz as he shall appoint by Order and Certificate of his Election; and the Strategus having received the Horſe and Foot mentioned, which are the third Classis of his Provinciall Guard or Army, shall forthwith lead them away unto Marpesa, where the Army consisting of three Classes each Classis containing three thousand Men, whereof five hundred are Horſe; and receiving the new Strategus with the third Classis; the old Strategus with the first Classis shall be dismist by the Provinciall Council. The same method with the Straliots of the Letter P. is to be observed for the Provinciall Orbe of Panopea: and the Commonwealth coming to acquire new Provinces, the Senate and the People may erect new Orbs in like manner consisting of greater or leſſe numbers according as is required by the respective occasion. If a Straliot have once served his terme in a Provinciall Orbe, and happen afterwards to draw the Letter of a Province at the Election of the second Essay; he may refuse his Lot, and if he refuse it, the Censor of that Urn shall cause the files balloting at the same to make an hault; and if the Straliot produce the Certificate of his Strategus or Generall, that he hath served his time accordingly; the Censor throwing the Ball that he drew into the Urn againe, and taking out a blank, shall dismiſſe the Youth, and cause the Ballot to proceed.

To

To perfect the whole ſtructure of this Common-wealth: ſome directions are given unto the third Eſſay, or Army marching, in

The Thirtieth Order; *When thou goeſt to battel againſt thine enemie, and ſeeſt Horſes and Chariots, and a people more then thou, be not affraid of them, for the Lord thy God is he that goeth with thee to fight for thee againſt thine enemies: And when thou divideſt the ſpoile, it ſhall be as a ſtatute and an Ordinance unto thee, that as his part is that goeth down to the battle, ſo ſhall his part be that tarryeth by the Stuffe*: that is, as to the Commonwealth of Oceana; The ſpoile taken of the enemy (except Clothes, Armes, Horſes, Ammunition and Victuall, to be divided unto the Souldiery by the Strategus and the Polemarchs upon the place according unto their Diſcretion) ſhall be delivered unto four Commiſſaries of the Spoiles elected and ſworn by the Councill of War, which Commiſſaries ſhall be allowed ſhipping by the State and convoyes according as occaſion ſhall require by the Strategus; to the end that having a bill of lading ſigned by three or more of the Polemarchs they may Ship and bring or cauſe ſuch ſpoiles to be brought unto the Prize Office in Oceana, where they ſhall be ſold, and the profit ariſing by ſuch ſpoiles ſhall be divided into three parts whereof one ſhall go unto the Treaſury, another ſhall be paid to the Souldiery of this Nation, a third unto the Auxiliaries, at their return from their ſervice, provided that the ſaid Auxiliaries be equall in number unto the proper forces of this Nation, otherwiſe their ſhare ſhall be ſo much leſſe as they are fewer in number: the reſt of the two thirds to go unto the Officers and Souldiers of the proper forces; and the ſpoiles ſo divided unto the proper forces ſhall be ſubdivided into three equall parts, whereof one ſhall go unto the Officers, and two unto the common Souldiers, the like for the Auxiliaries: and the ſhare allotted unto the Officers, ſhall be divided into foure equall parts whereof one ſhall go to the Strategus, another unto the Polemarchs, a third unto the Colonels, and a fourth unto the Captaines, Cornets, Enſignes and under Officers, receiving their ſhare of the ſpoile as common Souldiers. The like for the Auxiliaries: and this upon paine in the caſe of failure, of what the people of Oceana, unto whom the Cognizance of Peculate or Crimes of this nature is properly appertaining, ſhall adjudge or decree.

30 *Order, Deut.* 20 2 *Sam.* 30. 24.

Upon theſe three laſt orders the *Archon* ſeemed to bee haranging at the head of his Army, in this manner.

My dear Lords and Excellent Patriots

A Government ofthis make,is a Cõmonwealth for increaſe. Of thoſe for preſervation,the inconveniences,and frailties have been ſhewn: their rootes are narrow, ſuch as do not runne, have no fivers, their tops weak and dangerouſly expoſed unto the weather; except you chance to finde one (as *Venice)* planted in a flowerpot, and if ſhee grow, ſhee grows top-heavy, and falls too. But you cannot plant an Oak in a flowerpot: She muſt have earth for her root, and heaven for her branches.

Imperium Oceano famam quæ terminet aſtris.

Rome was ſaid (*Mole ſua ruere*) to bee broken by her own weight, but Poetically. For that weight by which ſhe was pretended to bee ruined, was ſupported in her Emperors, by a farre ſlighter foundation. And in the Common experience of good Architecture, there is nothing more known, than that buildings, ſtand the firmer and the longer for their own weight; nor ever ſwerve through any other internal cauſe, than that their materials are corruptible; but the people never dyes, nor, as a Political Body, are ſubject unto any other corruption than that which deriveth from their Government: Unleſſe a man will deny the chain of cauſes in which hee denies God, hee muſt alſo acknowledge the chain of effects; wherefore there can bee no effect in Nature, that is not from the firſt Cauſe, and thoſe ſucceſſive lincks of the chain, without which it could not have been. Now except a man can ſhew the contrary in a Commonwealth,if there bee no cauſe of corruption in the firſt make of it, there can never bee any ſuch effect. Let no mans ſuperſtition, impoſe prophaneneſſe upon this aſſertion; for as Man is ſinful,but yet the world is perfect,ſo may the Citizen bee ſinfull,and yet the Commonwealth bee perfect. And as man ſeeing the World is perfect, can

never commit any ſuch ſin as can render it imperfect, or bring it unto a natural diſſolution; ſo the Citizen, where the common Wealth is perfect can never commit any ſuch crime, as can render it imperfect, or bring it unto a natural diſſolution. To come unto experience, *Venice*, notwithſtanding that wee have found ſome flaws in it, is the only Cõmonwealth, in the make whereof, no man can find a cauſe of diſſolution; for which reaſon wee behold her (albeit ſhe conſiſt of men that are not without ſin) at this day with one thouſand years upon her back, for any internal cauſe, as young, as freſh, and free from decay, or any appearance of it, as ſhee was born, but what ever in nature, is not ſenſible of decay by the courſe of a thouſand years, is capable of the whole age of nature: by which calculation for any check that I am able to give my ſelf; a Commonwealth rightly ordered, may for any internal cauſes be as immortal, or long-lived as the World. But if this be true, thoſe Commonwealths that are naturally fallen, muſt have derived their ruine from the riſe of them. *Iſrael* and *Athens*, died not naturall, but violent deaths, in this manner the World is to dye; wee are ſpeaking of thoſe cauſes of diſſolution which are naturall unto government; and they are but two, either *Contradiction* or *Inequality*, if a Common-wealth be a contradiction ſhe muſt needs deſtroy her ſelf; and if ſhe be unequal, it tends to ſtrife, and ſtrife to ruine. By the former of theſe fell *Lacedemon*, by the latter *Rome*. *Lacedemon* being made altogether for war, and yet not for increaſe, her natural progreſſe, became her natural diſſolution, and the building of her own victorious hand, too heavy for her foundation; ſo ſhee indeed fell by her own weight.

But *Rome* through her native Inequality, which how it inveterated the boſomes of the Senate and the people each againſt other, and even unto death hath been ſhewn at large.

Look well unto it my Lords, for if there be a contradiction or inequality in your Commonwealth it muſt fall; but if it have neither of theſe, it hath no principle of mortality, do not think mee impudent; if this be truth, I ſhould commit a groſs

groſſe indiſcretion, in concealing it. Sure I am that *Machiavil*, is for the immortality of a Commonwealth upon far weaker principles. *If a Commonwealth* (ſaith he) *were ſo happy as to be provided often with men, that when ſhe is ſwarving from her principles ſhould reduce her unto her inſtitution, ſhee would be immortall.* But a Common-wealth, as we have demonſtrated, ſwarveth not from her Principles, but by and through her inſtitution, if ſhe brought no byaſſe into the World with her, her courſe for any internal cauſe, muſt be ſtreight forward, as we ſee is that of *Venice*, ſhe cannot turn unto the right hand, nor to the left, but by ſome rubs, which is not an internal but an external cauſe, againſt ſuch ſhe can be no way fortifyed, but through her ſituation as is *Venice*, or through her Militia as was *Rome*; by which examples a Common-wealth may be ſecure, of thoſe alſo; Think me not vain, for I cannot hold; a Common-wealth that is rightly inſtituted can never ſwarve, nor one that is not rightly inſtituted be ſecured from ſwarving by reduction unto her principles, wherefore it is no leſs apparent in this place, that *Machiavil* underſtood not a Common-wealth as to the whole peice. As where having told *you, That a Tribune or any other Citizen of* Rome, *might propoſe a Law unto the people, and debate it with them*, he adds *this order was good while the people were good, but when the people became evil, it became moſt pernicious*; as if this Order, through which with the like, the people moſt apparently became evil, could ever have been good; or that the people, or the Commonwealth could ever have become good, by being reduced unto ſuch principles as were the Original of their evil. The diſeaſe of *Rome* was, as hath been ſhewn, from the native inequality of her ballance, and no otherwiſe from the Empire of the World, which then as this falling into one ſcale, that of the Nobility (an evil in ſuch a Fabrick inevitable) kickt out the People, wherefore a man that could have made her to throw away the Empire of the World, might in that have reduced her unto her principles, and yet have been ſo far from rendering her immortal, that going no farther hee ſhould never have cured her. But your C. W. is founded upon an equal Agrarian; and if *the earth be given unto the Sonnes of men*, this bal-

Dif. B. 3. C. 22. B. 3 C. 29.

Dif. B. 1. C. 18

Prov. 20. 14 lance, is the ballance of juſtice, ſuch an one as in having due regard unto the different induſtry, of different men, yet *faithfully judgeth the poor. And the King that faithfully judgeth the poor, his Throne ſhall be eſtabliſhed for ever*, much more the Commonwealth; ſeeing that equality which is the neceſſary diſſolution of Monarchy, is the generation, the very life and ſoul of a Commonwealth; And now, if ever, I may be excuſable, ſeeing that the Throne of a Commonwealth may be eſtabliſhed for ever, is conſonant unto the holy Scriptures.

The ballance of a Commonwealth that is equal, is of ſuch nature, that what ever falleth into her Empire, muſt fall equally, and if the whole earth fall into your ſcales, it muſt fall equally, & ſo you may be a greater people, and yet not ſwerve from your principles one hair. Nay you will be ſo far from that, that you muſt bring the world in ſuch a caſe, unto your ballance, even unto the ballance of Juſtice. But hearken, My Lords, Are we on earth? Do we ſee the Sun? or are we viſiting thoſe ſhady places which are fained by the Poets?

(*Continuò auditæ voces, vagitus & ingens.*)

Theſe Gothick Empires that are yet in the world, were at the firſt, though they had legs of their own, but an heavy and unweildy burden, but their foundations being now broken, the Iron of them entereth even into the ſouls of the oppreſſed, and hear the voice of their Comforters. *My father hath chaſtiſed you with whips, but I will chaſtiſe you with ſcorpions.* Hearken, I ſay, if thy brother cry unto thee in affliction, wilt thou not hear him? This is a Commonwealth of the fabrick, that hath an open ear, and a publick concernment, ſhe is not made for her ſelf only, but given as a Magiſtrate of God unto mankinde, for the vindication of common Right, and the law of Nature. Wherefore ſaith *Cicero* of the like, that of the *Romans* (*Nos magis patronatum orbis terrarum ſuſcepimus, quam Imperium*) we have rather undertaken the Patronage than the Empire of the world. If you, not regarding this example, like ſome other Nations that are upon the point to ſmart for it, ſhall, having attained unto your own liberty, *bear the ſword* of your common Magiſtracy, *in vain*, ſit ſtill, and fold your arms, or which is worſe, let out the

blood

blood of your people unto Tyrants to be ſhed in the defence of their yoaks, like water, and ſo not only *turn the grace of God into wantonneſs*, but his *juſtice into wormwood.*

You are not now making a Commonwealth, *but heaping coals of fire upon your own heads.* A Commonwealth, I ſay, of this make is a Miniſter of God upon earth, to the end that the world may be *governed with righteouſneſs.* For which cauſe (that I may come at length unto our preſent buſineſs) the orders laſt rehearſed are buds of Empire, ſuch as with the bleſſing of God, may ſpread the arms of your Commonwealth, like an holy *Aſylum* unto the diſtreſſed world, and give the earth her Sabbath of years, or reſt from her labours under the ſhadow of your wings. It is upon this point where the writings of *Machiavil* having for the reſt excelled all other Authors, come as far to excel themſelves.

(*Commonwealths*, ſaith he, *have had three wayes of propagating themſelves*, One after the manner of Monarchies, *by impoſing the yoak, which was the way of* Athens, *and towards the latter times of* Lacedemon; *Another by equal leagues, which is the way of* Switz (I ſhall adde of *Holland* though ſince his time) *A third by unequal leagues, which to the ſhame of the world, was never practiſed*; nay nor ſo much as ſeen, or minded *by any other Commonwealth, but that only of* Rome. They will each of them either for caution, or imitation, be worthy to be well weighed, which is the proper work of this place. *Athens* and *Lacedemon*, have been the occaſion of great ſcandal to the world, in two, or at leaſt one of two regards. The firſt their emulation, which involved *Greece* in perpetual wars, the ſecond their way of propagation, which by impoſing yoaks upon others, was plainly contradictory to their own principles. Diſc. B. 2. C. 4.

For the firſt, Governments bee they of what kinde ſoever, if they bee planted too cloſe, are like trees, that impatient in their growth to have it hindred, eat out one another. It was not unknown unto theſe, in contemplation, or (if you read the ſtory of *Ageſilaus*) in action, that either of them with thirty thouſand men might have maſtered the Eaſt,

and

and certainly, if the one had not ſtood in the others light, *Alexander* had come too late to that end, which was the means (and would be if they were to live again) of ruine, at the leaſt unto one of them: wherefore with any man that underſtandeth the nature of Government, this is excuſable; ſo it was between *Oceana* and *Marpeſia*; ſo it is between *France* and *Spain* (though leſſe excuſable) and ſo it ever will bee in like caſes. But to come unto the ſecond occaſion of ſcandal by them given, which was in the way of their propagation, it is not excuſable: for they brought their confederates under bondage; by which means *Athens* gave occaſion of the *Peloponeſian* warre, the wound of which ſhee dy'd ſtinking, when *Lacedemon*, taking the ſame infection from her carkaſſes, ſoon followed.

Wherefore my Lords, let theſe bee warnings unto you, not to make that liberty which God hath given you, a ſnare unto others, in uſing this kind of inlargement of your ſelves.

The Second way of Propagation or inlargement uſed by Common-wealths, is that of *Switz* and *Holland*, equal leagues; this, though it be not otherwiſe miſchievous, is uſeleſſe to the world, and dangerous unto themſelves; uſeleſſe unto the world, for as the former governments were Storks, theſe are blocks, have no ſenſe of honour, or concernment in the ſufferings of others. But as the *Ætolians* a ſtate of the like fabrick, were reproached by *Phillip* of *Macedon*, proſtrate themſelves, by letting out their arms unto the luſts of others: while they have their own liberty barren, and without legitimate iſſue. I do not defame the people, the *Switz* for valour have no ſuperior, the *Hollander* for induſtry no equal: but themſelves in the mean time ſhall ſo much the leſs excuſe their Governments, ſeeing that unto the *Switz* it is well enough known, that the Enſigns of his Common-wealth have no other *Motto* then (*in te converte manus*) and that of the *Hollander*, though hee ſweat more gold than the *Spaniard* digs, let's him languiſh in debt, for ſhee her ſelf lives upon charity, theſe are dangerous unto themſelves, precarious governments,

ments, ſuch as do not command, but beg their bread from Province to Province; in Coats that being patched up of all colours are of none. That their Cantons and Provinces are ſo many arrows, is good; but they are ſo many bows too, which is naught.

Like unto theſe was the Commonwealth of the ancient *Tuſcans*, hung together like Bobbins, without an hand to weave with them, therefore eaſily overcome by the *Romans*, though at that time, for number, a far leſſe conſiderable people. If your liberty be not a root that grows, it will be a branch that withers, which conſideration brings mee unto the Paragon, the Common-wealth of *Rome*.

The ways and means whereby the *Romans* acquired the Patronage, and in that the Empire of the world, were different, according unto the different Condition of their Commonwealth in her riſe, and in her growth; in her riſe ſhee proceeded rather by Colonies, in her growth by unequal Leagues. Colonies without the bounds of *Italy* ſhee planted none (ſuch diſperſion of the *Roman* Citizen, as to plant him in forreign parts, til the contrary intereſt of the Emperors brought in that practice, was unlawful) nor did ſhee ever demoliſh any City within that Compaſs, or diveſt it of liberty, but whereas the moſt of them were Commonwealths, ſtirred up by emulation of her great felicity, to war againſt her, if ſhee overcame any, ſhe confiſcated ſome part of their Lands that were the greateſt incendiaries, or cauſes of the trouble, upon which ſhee planted Colonies of her own people, preſerving the Lands and Liberties for the reſt, unto the natives or inhabitants. By this way of proceeding, (that I may bee brief as is poſſible) ſhe did many and great things. For in confirming of Liberty, ſhee propagated her Empire, in holding the inhabitants from rebellion, ſhee put a curb upon the incurſion of Enemies; in exonerating her ſelf of the poorer ſort, ſhee multiplied her Citizens, in rewarding her veterans, ſhee rendered the reſt leſſe ſeditious; and in acquiring unto her ſelf the reverence of the Common parent, ſhee from time to time became the

Mother

Mother of New-born Cities.

In her farther growth the way of her propagation, went more upon Leagues, which for the first division were of two kindes, Social and Provincial.

Again, Social Leagues, or Leagues of Society, were of two kindes.

The first called, *Latinity* or *Latine*; The second *Italian Right*.

The League between the *Romans* and the *Latins*, or Latine Right, approached neareſt unto (*Jus Quiritium*) the right of a native *Roman*, The Man or the City that was honoured with this Right was (*Civitate donatus cum ſuffragio*) adopted a Citizen of *Rome*, with the right of giving ſuffrage with the people in ſome caſes, as thoſe of Confirmation, of Law, or Determination in Judicature, if both the Conſuls were agreed, not otherwiſe; wherefore that coming to little, the greateſt and moſt peculiar part of this Priviledge was, that who had born Magiſtracy (at leaſt that of *Ædile* or *Quæſtor*) in any Latine City, was by conſequence of the ſame a Citizen of *Rome* at all points.

Italian Right was alſo donation of the City, but without Suffrage; they who were in either of theſe Leagues, were governed by their own Laws and Magiſtrates, having all the Rights, as to liberty of Citizens of *Rome*, yeelding and paying to the Commonwealth as head of the League, and having the Conduct of all Affairs appertaining to the Common Cauſe, ſuch aid of Men and Monies as were particularly agreed upon the merit of the cauſe, and ſpecified in their reſpective Leagues, whence ſuch Leagues came to be called equal or unequal accordingly.

Provincial Leagues were of different extention, according unto the Merit and Capacity of a conquered people, but of one kinde, for every Province was governed by *Roman* Magiſtrates, as a *Prætor* or a *Conſul*, according to the dignity of the Province, for the Civil Adminiſtration, and conduct of the Provincial Army: And a *Quæſtor* for the gathering of the publick

publick Revenue, from which Magiſtrates, a Province might appeal unto *Rome.*

For the better underſtanding of theſe particulars, I ſhall exemplifie in as many of them as is needful: And firſt, in *Macedon.*

The *Macedonians* were thrice conquered by the *Romans*, firſt under the conduct of *T. Quintus Flaminius*, ſecondly under that of *L. Æmilius Paulus*; and thirdly, under that of *Q. Cæcilius Metellus*, thence called *Macedonicus.*

For the firſt time (*Pax petenti Philippo data, Græciæ libertas*) *Philip* of *Macedon*, who (poſſeſſed of *Acro Corinthus*) boaſted no leſs than was true, that he had *Greece* in fetters, being overcome by *Flaminius*, had his Kingdome reſtored unto him, upon condition that he ſhould forthwith ſet all the Cities which he held in *Greece*, and in *Aſia* at liberty; and that he ſhould not make war out of *Macedon*, but by leave of the Senate of *Rome*, which *Philip* (having no other way to ſave any thing) agreed ſhould be done accordingly.

The *Grecians* being at this time aſſembled at the *Iſtmian* Games, where the concourſe was mighty great, a Cryer, appointed unto the office by *Flaminius*, was heard among them proclaiming all *Greece* to be free; to which the people being amazed, at ſo hopeleſs a thing, gave little credit, till they received ſuch teſtimony of the truth as put it paſt all doubt, whereupon they fell immediately on running unto the Proconſul, with Flowers and Garlands, and ſuch violent expreſſions of their admiration and joy, as if *Flaminius* a young man (about ſome thirty three) had not alſo been very ſtrong, hee muſt have dyed of no other death then their kindneſs, while every one ſtriving to touch his hand, they bore him up and down the field with an unruly throng, full of ſuch Ejaculations as theſe; How! Is there a people in the world, that at their own Charge, at their own Peril, will fight for the liberty of another! Did they live at the next door unto this fire! Or what kinde of men are theſe, whoſe buſineſs it is to paſs Seas, that the World may be governed with righteouſneſs! The Cities of *Greece* and of *Aſia* ſhake off their Iron fetters at the

voyce of a Cryer! Was it madneſs to imagine ſuch a thing; and is it done! O Vertue! O Felicity! O Fame!

In this example your Lordſhips have a Donation of Liberty, or of *Italian* Right unto a people, by reſtitution to what they had formerly enjoyed, and ſome particular Men, Families, or Cities, according unto their merit of the *Romans*, if not upon this, upon like occaſions were gratified with *Latinity*.

But *Philips* ſhare by this means did not pleaſe him, wherefore the League was broken by his ſon *Perſeus*. And the *Macedonians* thereupon for the ſecond time conquered by *Æmilius Paulus*, their King taken, and they ſometime after the Victory, ſummoned unto the Tribunal of the General; where remembring how little hope they ought to have of pardon, they expected ſome dreadful ſentence. When *Æmilius* in the firſt place declared the *Macedonians* to be free, in the full poſſeſſion of their Lands, Goods, and Laws, with right to elect annual Magiſtrates, yeelding and paying unto the people of *Rome* one half of the Tribute which they were accuſtomed to pay unto their own Kings. This done he went on, making ſo ſkilful a diviſion of the Country, in order to the methodizing of the people, and caſting them into a form of popular Government. That the *Macedonians* being firſt ſurprized with the vertue of the *Romans*, began now to alter the ſcene of their Admiration, that a ſtranger to them ſhould do ſuch things for them in their own Country, and with ſuch facility, as they had never ſo much as once imagined to be poſſible. Nor was this all, for *Æmilius*, as if not dictating to conquered Enemies, but to ſome well-deſerving friends, gave them in the laſt place Laws, ſo ſuitable, and contrived with ſuch care and prudence, that long uſe and experience (the only Correctreſs of works of this nature) could never finde a fault in them.

In this Example you have a Donation of Liberty, or of *Italian* Right, unto a people that had not taſted of it before, but were now taught how to uſe it.

My Lords, The Royallifts ſhould compare what we are doing, and we what hitherto we have done for them, with this example,

example. It is a shame that while wee are boasting up our selves above all, we should be so far from imitating such examples as these, that we do not so much as understand, that if Government be the parent of manners, where there be no Heroical Vertues, there is no Heroical Government.

But the *Macedonians* rebelling (at the name of a false *Philip*) the third time against the *Romans*, were by them judged incapable of Liberty, and reduced by *Metellus* unto a Province.

Now whereas it remains, that I explain the nature of a Province, I shall rather choose that of *Sicely*, because having been the first that the *Romans* made, the descriptions of the rest relate to it.

We have so received the Sicilian Cities into amity (saith *Cicero*) *that they enjoy their ancient Laws, and upon no other condition than of the same obedience unto the people of* Rome, *which they formerly yeelded unto their own Princes or Superiors.* So the *Sicilians*, whereas they had been parcelled forth unto divers Princes, and into divers States, the cause of perpetual Wars, whereby hewing one another down, they became Sacrifices unto the ambition of their Neighbours, or of some Invader, were now received at the old rate into a new Protection, which could hold them, and in which no Enemy durst touch them; nor was it possible (as the case stood with such) for the *Sicilians* to receive, or for the *Romans* to give more.

A *Roman Province* is defined by *Sigonius*, *a Region having Provinciall Right.* Provinciall Right in general, was to bee Governed by a *Roman Prætor*, or *Consull*, in matter, at lest, of State, and of the *Militia*. And by a *Quæstor*, whose Office it was to receive the Publicks Revenue. Provinciall Right in particular, was different, according unto the different Leagues, or Agreements between the Common-wealth, and the People reduced unto a Province. (*Siculi hoc jure sunt, ut quod civis cum cive agat, domi certet suis legibus, quod Siculus cum Siculo non ejusdem Civitatis, ut de eo Prætor Judices, ex P. Rupilii Decreto, Sortiatur. Quod privatus a Populo petit, aut populus a privato,* Cicero.

vato, Senatus ex aliqua Civitate, qui judicet, datur, cui alterna Civitates rejectæ sunt. Quod civis Romanus a Siculo petit, Siculus Judex datur; quod Siculus a cive Romano, civis Romanus datur. Ceterarum rerum selecti Judices. ex civium Romanorum conventu proponi solent. Inter aratores & decumanos lege frumentaria, quam Hieronicam appellant, judicia sunt.) Because the rest would oblige mee unto a discourse too large for this place, it shall suffice that I have shewed you how it was in *Sicely*.

My Lords, Upon the Fabrick of your Provinciall Orbe I shall not hold you; because it is sufficiently described in the Order, and I cannot beleeve that you think it inferiour to the way of a *Prætor* and a *Quæstor*. But whereas the Provinciall way of the *Roman* Common-wealths was that whereby shee held the Empire of the World, and your Orbes are intended to bee capable at the least of the like use; there may arise many Controversies. As whether such a course bee lawfull, whether it bee feizable: and seeing that the *Romans* ruined upon that point, whether it would not bee unto the destruction of the Common-wealth?

For the first, If the Empire of a Common-wealth bee a Patronage, to ask whether it bee lawfull for a Commonwealth to aspire unto the Empire of the World, is to ask whether it bee lawfull for her to do her duty, or to put the World into a better condition than it was before.

And to ask whether this bee feizable, is to ask why the *Oceanar*, being under the like administration of Government, may not do as much with two hundred men as the *Roman* did with one hundred, for comparing their Commonwealths in their rise, the difference is yet greater. Now that *Rome (seris Avaritia Luxuriaque)* through the naturall thirst of her constitution, came at length with the fulnesse of her Provinces, to burst her self, this is no otherwise to bee understood than as when a man that from his owne evill constitution, had contracted the Dropsie, dyes with drinking: It being apparent that in case her Agrarian had held, shee could never have been thus

thus ruined; And I have already demonſtrated that your Agrarian being once poyſed, can never break or ſwarve.

Wherefore to draw towards ſome Concluſion of this Diſcourſe, let mee inculcate the uſe, by ſelecting a few conſiderations out of many. The regard had in this place unto the Empire of the World, appertaineth to a well-ordered Commonwealth, more eſpecially for two Reaſons.

1 The facility of this great enterprize, by a Government of the Modell propoſed.

2 The danger that you would run, in the omiſſion of ſuch a Government.

The facility of this enterprize, upon the grounds already laid, muſt needs bee great, foraſmuch as the Empire of the World hath been, both in reaſon and experience, the neceſſary conſequence of a Common-wealth of this nature only, for though it have been given unto all kinds to drive at it, inaſmuch as that of *Athens*, or *Lacedemon*, if the one had not hung in the others light, might have gained it, yet could neither of them have held it; not *Athens*, through the manner of her propagation, which being by down-right Tyranny, could not preſerve what ſhee had; nor *Lacedemon*, becauſe ſhee was overthrown by the weight of a leſs Conqueſt. The facility then of this great Enterprize, being peculiar unto popular Government; I ſhall conſider it, Firſt, In gaining; And ſecondly, In holding.

For the former (*Volenti non fit injuria*) it is ſaid of the people under *Eumenes*, that they would not have changed their ſubjection for liberty, wherefore the *Romans* gave them no diſturbance.

If a people be contented with their Government, it is a certain ſign that it is good, and much good do them with it. The ſword of your Magiſtracy is for a terror unto them that do evil.

Eumenes had the fear of God, or of the *Romans* before his eyes, concerning ſuch hee hath given you no Commiſſion.

But

But till wee can ſay here are the *Romans*, where is *Eumenes*. Do not think that the late *appearances of God* unto you, have been altogether for your ſelves; *he hath ſurely ſeen the affliction* of your Brethren, *and heard their cry, by reaſon of their task-maſters*. For to believe otherwiſe, is not only to be mindleſſe of his wayes, but altogether deaf. If you have ears to hear, this is the way in which you will aſſuredly bee called upon: for if while there is no Stock of Liberty, no ſanctuary of the afflicted, it bee a common object, to behold a people caſting themſelves out of the pan of one Prince, into the fire of another: what can you think, but if the world ſhould ſee the *Roman* Eagle again, ſhee would renew her age, and her flight? nor ever did ſhee ſpread her wing with better Omen, then will be read in your Enſigns, which if called in by an oppreſſed people, they interpoſe between them and their Yoak; the people themſelves muſt either do nothing in the mean time, or have no more pains to take for their wiſhed fruit than to gather it, if that bee not done for them. Wherefore this muſt needs bee eaſy, and yet you have a greater facility, than is in the arm of fleſh; for if the cauſe of mankind, bee the cauſe of God, the Lord of Hoſts will bee your Captain, and you ſhall bee a praiſe unto the Earth.

The facility of holding, is in the way of your Propagation; if you take that of *Athens* and *Lacedemon*, you ſhall rain ſnares, but either catch or hold nothing. Lying lips are an abomination unto the Lord, if ſetting up for liberty you impoſe yoaks, hee will aſſuredly deſtroy you; On the other ſide, to go about a work of this nature, by a League without an head, is to abdicate that Magiſtracy, wherewithall hee hath not only indued you, but whereof hee will require an account of you; for *curſed is hee that doth the work of the Lord negligently*. Wherefore you are to take the courſe of *Rome*: if you have ſubdued a Nation that is capable of liberty, you ſhall make them a preſent of it, as did *Flaminius* unto *Greece*, and *Æmilius* unto *Macedon*, reſerving unto your ſelves ſome

part

part of that revenue, which was legally paid unto the former Government, together with the right of being head of the League, which includeth ſuch Levyes of men and mony as ſhall bee neceſſary for the carrying on of the publick works; for if a people have by your means attained unto freedom, they owe both unto the cauſe and you, ſuch aid as may propagate the like fruit unto the reſt of the world. But whereas every Nation is not capable of her liberty unto this degree, leſt you be put, to doing and undoing of things, as the *Romans* were in *Macedon*, you ſhall diligently obſerve what Nation is fit for her liberty unto this degree, and what not; which is to be done by two marks, the firſt if ſhee bee willing to *help the Lord againſt the mighty*; for if ſhee have no care of the Liberty of mankind, ſhee deſerveth not her own; but becauſe in this you may be deceived by pretences, which continuing for a while ſpecious, may afterwards vaniſh, the other is more certain, and that is, if ſhee bee capable of an equal Agrarian; which that it was not obſerved by excellent *Æmilius*, in his Donation of Liberty, and introduction of a Popular State among the *Macedonians*, I am more then moved to believe, for two reaſons, the firſt becauſe at the ſame time the Agrarian was odious unto the Roman *Patricians*; the ſecond, that the *Pſeudo-Phillip* could afterwards ſo eaſily recover *Macedon*, which could not have happened, but by the Nobility, and their impatience having great eſtates, to bee equalled with the people, for that the people ſhould otherwiſe, at the meer ſound of a name, have thrown away their liberty, is incredible; Wherefore bee aſſured, that the Nation where you cannot eſtabliſh an equal Agrarian, is incapable of her liberty, as to this kinde of Donation. For example, except the Ariſtocracy in *Marpeſia*, bee diſſolved, neither can that people, have their liberty there, nor you govern at home, for they continuing ſtill liable to bee ſold by their Lords, unto forrain Princes, there will never (eſpecially in a Country of which there is no other profit to be made) bee want of ſuch Merchants and drovers, while you

muſt

muſt be the market where they are to receive their ſecond payment.

Nor can the Ariſtocracy there be diſſolved but by your means, in relation whereunto, you are provided with your Provincial Orb, which being proportioned unto the meaſure of the Nation that you have vindicated or conquered, will eaſily hold it; for there is not a people in the world more difficult to be held than the *Marpeſians*, which though by themſelves it be given unto their own nature, is truly to be attributed unto that of their Country: Nevertheleſs you having nine thouſand men upon the continual guard of it, that threatned by any ſudden inſurrection, have places of retreat; and an Army of forty thouſand men upon a dayes warning ready to march unto their reſcue, it is not to be rationally ſhewn, which way they can poſsibly ſlip out of your hands; and if a man ſhall think, that upon a Province more remote, and divided by Sea, you have not the like hold; he hath not ſo well conſidered your wings, as your talons, your ſhipping being of ſuch nature, as maketh the deſcent of your Armies almoſt of equal facility in any Country, ſo that what you take, you hold, both becauſe your *Militia* being already populous, will bee of great growth in it ſelf, and through the confederates, by whom in taking and holding, you are ſtill more inabled to take and hold.

Nor ſhall you eaſilier hold, then the people under your Empire or Patronage be held (My Lords, I would not go unto the door, to ſee whether it be (*rimarum plena*) cloſe ſhut, this is no under-board dealing, nor game, at which he ſhall have any advantage againſt you that ſees your Cards, but to the contrary the advantage ſhall be your own) for with eighteen thouſand men (which number I put becauſe it circulates your Orb by the annual charge of ſix thouſand) having ſet the matters in the order ſhewn, you will be able to hold the greateſt Province, and eighteen thouſand men, allowing them greater pay than any Prince ever gave, will not ſtand the Province in one Million revenue; * In conſideration whereof, they ſhall have

*This by the pay of a Parliamentary Army, is demonſtrated in the Corollary.

have their own eſtates free unto themſelves, be governed by their own Laws and Magiſtrates; which if the Revenue of the Province be in dry rent (as there may be ſome that are four times as big as *Oceana*) forty millions, will bring it with that of induſtry (to ſpeak with the leaſt) unto twice the value, ſo that the people there, who at this day are ſo oppreſſed, that they have nothing at all whereupon to live, ſhall for one Million paid unto you, receive at the leaſt ſeventy nine unto their proper uſe, in which place I appeal unto any man, whether the Empire deſcribed, can be other than the Patronage of the world.

Now if you adde unto the propagation of Civil Liberty, (what is ſo natural unto this Commonwealth that it cannot bee omitted) the Propagation of the Liberty of Conſcience, this Empire, this Patronage of the world, is the Kingdome of Chriſt. For as the Kingdome of God the Father, was a Commonwealth, ſo ſhall be the Kingdome of God the Son; *The people ſhall be willing in the day of his power*, Pſal. 110. 3.

Having ſhewed you in this, and other places ſome of thoſe ineſtimable benefits of this kinde of Government, together with the natural and facile emanation of them from their fountain. I come (leſt God, who hath appeared unto you, for hee is the God of Nature, in the glorious Conſtellation of theſe ſubordinate cauſes, whereof wee have hitherto been taking the true elevation, ſhould ſhake off the duſt of his feet againſt you) to warn you of your dangers, which you, not taking the opportunity, will run by omiſſion.

Machiavil ſpeaking of the defect of *Venice*, through her want of proper Arms, cryes out (*Queſto tagliogli le gambe da montar in cielo*) this cut her wings, and ſpoyled her mount unto heaven. If you lay your Commonwealth upon any other foundation, then the people, you fruſtrate your ſelf of proper Arms, and ſo loſe the Empire of the World; nor is this all, but ſome other Nation will have it.

Columbus offered gold unto one of your Kings, through whoſe happy incredulity, another Prince hath drunk the poyſon,

even unto the consumption of his people; but I do not offer you a nerve of war that is made of purſ-ſtrings, ſuch an one as hath drawn the face of the earth into convulſions, but ſuch an one as is natural unto her health and beauty. Look you to it; where there is tumbling and toſſing upon the bed of ſickneſs, it muſt end in death, or recovery. Though the people of the world in the dregs of *Gothick* Empire, bee yet tumbling and toſſing upon the bed of ſickneſs, they cannot dye, nor is there any means of recovery for them, but by ancient prudence, whence of neceſſity it muſt come to paſs, that this drug bee better known. If *France*, *Italy* and *Spain*, were not all ſick, all corrupted together, there would bee none of them ſo, for the ſick would not bee able to withſtand the ſound, nor the ſound to preſerve her health without curing of the ſick. The firſt of theſe Nations (which if you ſtay her leaſure, will in my minde bee *France*) that recovers the health of ancient Prudence, ſhall aſſuredly govern the world; for what did *Italy* when ſhee had it? And as you were in that, ſo ſhall you in the like caſe bee reduced unto a Province, I do not ſpeak at randome. *Italy*, (*L. Æmilio Papo. C. Atilio Regulo Coſ.*) armed upon the *Gallick* Tumult that then happened of her ſelf, and without the aid of forreign Auxiliaries, Seventy thouſand Horſe, and Seven hundred thouſand Foot; but as *Italy* is the leaſt of thoſe three Countries in extent, ſo is *France* the greateſt in Population.

I, decus, I noſtrum, melioribus utere fatis.

My dear Lords, Oceana *is as the Roſe of Sharon, and the Lilly of the Valley. As the Lilly among thorns, ſuch is my Love among the Daughters. She is comely as the Tents of Kedar, and terrible as an Army with Banners. Her neck is as the Tower of David, builded for an Armory, whereon there hang a thouſand Bucklers, and Shields of mighty men. Let me hear thy voyce in the morning, whom my ſoul loveth. The South hath dropped, and the Weſt is breathing upon thy Garden of Spices. Ariſe Queen of the earth; Ariſe holy Spouſe of Jeſus, For lo the Winter is paſt, the Rain is over and gone. The Flowers appear on the earth, the*

time

time of ſinging of birds is come, and the voyce of the Turtle is heard in our Land. Ariſe I ſay, come forth, and do not tarry; ah! wherefore ſhould mine eyes behold thee by the rivers of Babylon, *hanging thy harpes upon the willows, thou faireſt among women?*

Excellent Patriots. If the people bee ſoveraign, here is that which eſtabliſheth their Prærogative. If wee be ſincere, here is that which disburdeneth our ſouls, maketh good all our ingagements. If we be charitable, here is that which imbraceth all Partyes. If wee would bee ſetled, here is that which will ſtand.

If our Religion bee any thing elſe but a vain boaſt, ſcratching and defacing humane nature or reaſon, which being the image of God, makes it a kinde of murther, here is that Empire, whence *Juſtice ſhall runne down like a river, and judgement like a mighty ſtream*, Amos 5. 24. who is it then that calls us? or what is in our way? a Lyon, is it not *the Dragon that old Serpent*? for what wretched ſhifts are theſe? Here is a great deal, might wee not have ſome of this at one time, and ſome at another?

My Lords, permit me to give you the ſum or brief

Epitome of the whole Common-Wealth.

Epitome of the whole Common wealth.

The Center of Fundamental Laws are firſt the Agrarian proportioned at two thouſand pounds a year in Land, lying and being within the proper territory of Oceana, **and ſo ſtating Property in Land at ſuch a ballance, that the**

Power can never swarve out of the hands of the many.

Secondly, The Ballot conveying this equal lay, from the root by an equal election or rotation, into the branches of Magistracy or Soveraign power.

The Orbes of this Common-wealth being Civil, Military, or Provincial, are as it were cast upon this Mold or Center, by the Divisions of the People; first into Citizens and Servants: Secondly, Into Youth and Elders: Thirdly, Into such as have one hundred pound a year in Lands, Goods, or Monies, who are of the Horse, and such as have under, who are of the Foot. Fourthly, by their usual residence into Parishes, hundreds, and Tribes.

The Civil Orbs consist of the Elders, and are thus Created, every Monday next ensuing the last of December, the Elders in every Parish, elect the fifth man to be a Deputy, half a days work, every Monday next ensuing the last of January, the Deputies meet at their respective hundred, and elect out of their number one Justice of the Peace, one Jury-man, one Coroner, and one High-Constable of the Foot; one days work.

Every Monday next ensuing the last of February, the hundreds meet at their respective Tribe, and there elect the Lords High-Sheriffe, Lieutenant, Custos Rotulorum, the Conductor, the two Censors out of the Horse, the Magistrates of the Tribe, and of the hundreds, with the Jury-men constituting the Phylarch, assist in their respective Offices at the Assizes, hold the Quarter Sessions, &c. The day following the Tribe elects, the annual Galary, consisting of two Knights, and three Deputies out of the Horse, with four Deputies of the Foot, thereby indued with Power, as Magistrates of the whole Nation for the term of three years: an Officer chosen at the hundred, may not bee elected a Magistrate of the Tribe, but a Magistrate or Officer, either of the

the Hundred or of the Tribe, being elected into the Galaxy may substitute any one of his own Order, unto his Magistracy or Office in the Hundred, or in the Tribe; This of the Muster is two days work, so the body of the People is annually at the charge of three days work, and an half, in their own Tribes, for the perpetuation of their power, receiving over and above the Magistracies so divided among them.

Every Monday next ensuing the last of March; The Knights being an Hundred in all the Tribes, take their places in the Senate; The Knights having taken their Places in the Senate, make the third Region of the same; and the house proceeds unto the Senatorian Elections. Senatorian Elections are annual, biennial, or emergent.

The Annual are performed by the Tropick.

The Tropick is a Scedule consisting of two parts, the first by which the Senatorian Magistrates are elected, the second, by which the Senatorian Councils are perpetuated.

The first part is of this Tenor.

The Lord Strategus.
The Lord Orator.
The first Censor.
The second Censor.
} Annual Magistrates, and therefore such as may bee elected out of any Region; the term of every region, having at the Tropick one year at the least unexpired.

The third Cõmissioner of the Seal.
The third Cõmissioner of the Treasury.
} Triennial Magistrates, and therefore such as can bee chosen out of the third Region only, as that alone, which hath the term of three years unexpired.

The Strategus and the Orator sitting are Consuls, or Presidents of the Senate.

The

The Strategus marching is General of the Army, in which case a new Strategus is elected to sit in his room.

The Strategus sitting with the six Commissioners being Counsellors of the Nation, are the Signory of the Commonwealth.

The Censors are Magistrates of the Ballot, Presidents of the Council for Religion, and Chancellors of the Universities.

The second part of the Tropick, perpetuateth the Council of State, by the election of five Knights, out of the first Region of the Senate, to be the first Region of that Council, consisting of fifteen Knights, five in every Region.

The like is done by the election of four into the Council of Religion, and four into the Council of Trade, out of the same Region in the Senate, each of these Councils consisting of twelve Knights, four in every Region.

But the Council of Warre consisting of nine Knights, three in every Region, is elected by and out of the Council of State, as the other Councils are elected by and out of the Senate; And if the Senate add a Junta of nine Knights more, elected out of their own number, for the term of three months, the Council of Warre by vertue of that addition, is Dictator of Oceana for the said term.

The Signory joyntly or severally hath right of Selsion, and Suffrage in every Senatorian Council, and to propose either unto the Senate, or any of them. And every Region in a Council electing one weekly Provost; any two of those Provosts, have power also to propose unto their respective Council, as the proper and peculiar proposers of the same: for which cause they hold an Academy, where any man either by word of mouth, or writing, may propose unto the Proposers.

Next unto the elections of the Tropick, is the Biennial Election of one Embassadour in ordinary, by the Ballot of

of the house, unto the Residence of France, at which time the Resident of France, remoues to Spain, he of Spain, to Venice, hee of Venice, to Constantinople, and hee of Constantinople returns. So the Orbe of the Residents, is wheeled about in eight years, by the Biennial election of one Embassadour in Ordinary.

The last kind of Election is emergent. Emergent Elections are made by the Scruteny. Election by Scruteny, is when a Competitor being made by a Council, and brought into the Senate: The Senate chooseth four more Competitors unto him, and putting all the five unto the Ballot, hee who hath most above half the Suffrages is the Magistrate. The Polemarches, or Field-Officers, are chosen by the Scruteny of the Council of Warre: An Embassadour extraordinary by the Scruteny of the Council of State: the Judges and Serieants at Law by the Scruteny of the Seal, and the Barons, and prime Officers of the Exchequer, by the Scruteny of the Treasury.

The opinion, or opinions that are legitimately proposed unto any Council must bee debated by the same, and so many as are resolved upon the debate, are introduced into the Senate, where they are debated and resolved, or reiected by the whole house: that which is resolved by the Senate is a Decree, which is good in matter of State, but no law except it bee proposed unto, and resolved by the prerogative.

The Deputies of the Galary being three horse and four foot in a Tribe, amount in all the Tribes unto one hundred and fifty horse, and two hundred foot, which having entred the Prerogative, and chosen their Captains, Cornet and Ensign (triential Officers,) make the third Classis consisting of one Troop, and one Company, and so ioyning with the whole Prerogative, elect four annual Magistrates, called Tribunes, whereof two are of the horse, and two of the foot, these have the command

of

of the Prerogative Sessions and Suffrage in the Council of war, and Sessions without Suffrage in the Senate.

The Senate having past a Decree which they would propose unto the people, cause it to be printed and published, or promulgated for the space of six weeks, which being Ordered, they choose their Proposers, The Proposers must bee Magistrates, that is, the Commissioners of the Seal, those of the Treasury, or the Censors. These being chosen, desire the Muster of the Tribunes, and appoint the day. The people being assembled at the day appointed, and the Decree proposed, that which is proposed by authority of the Senate, and commanded by the People is the Law of Oceana, or an Act of Parliament.

So the Parliament of Oceana consisteth of the Senate proposing, and the People resolving.

The People, or Prerogative are also the Supream Judicatory of this Nation, having power of hearing and determining all Causes of appeal from all Magistrates, or Courts Provinciall, or Domestick, as also to question any Magistrate, the term of his Magistracy being expired: if the Case be introduced by the Tribunes or any one of them.

The Military Orbs consist of the Youth, that is, such as are from eighteen to thirty years of age: and are thus created.

Every Wednesday next ensuing the last of December, the Youth of every Parish assembling, elect the fifth of their number to be their Deputies, the Deputies of the Youth, are called Stratiots, and this is the first Essay.

Every Wednesday next ensuing the last of January, the Stratiots assembling at the hundred, elect their Captain and their Enlign, and fall to their game.

Every Wednesday next ensuing the last of Febzuary, the Stratiots are received by the Lord Lieutenant their Commander

mander in Chief, with the Conductors and the Censors; and having been disciplin'd and entertained with other Games, are called unto the Urnes, where they elect the second Essay, consisting of two hundred horse and six hundred foot in a Tribe, that is, often thousand horse, and thirty thousand foot in all the Tribes, which is the standing Army of this Nation, to march at any warning; they also elect at the same time, a part of the third Essay, by the mixture of balls marked with the letter M. and the letter P. for Marpesia and Panopea, they of either mark being ten horse and fifty foot in a Tribe, that is, five hundred horse and two thousand foot in all the Tribes, which are forthwith to march to their respective Provinces.

But the third Essay of this Nation more properly so called, is when the Strategus with the Polemarches (the Senate and the People, or the Dictator having Decreed a Warre) receive in return of his Warrants the second Essay from the hands of the Conductors at the Randezvouz of Oceana, which Army marching with all Accommodations, Provided by the Council of Warre, the Senate elects a new Strategus, and the Lords Lieutenants, a new second Essay.

A Youth except he bee an only sonne, refusing any one of his three Essays without sufficient cause, shewn unto the Phylarch, or the Censors, is uncapable of Magistracy, and is fined a fift part of his yearly rent, or of his Estate for Protection. In case of Invasion the Elders are obliged unto like duty with the Youth, and upon their own Charge.

The Provincial Orbe consisting in part of the Elders, and in part of the Youth, is thus created.

Four Knights out of the first Region falling, are elected in the Senate, to bee the first Region of the Provincial Orbe of Marpesia, these being triennial Magistrates, take their places in the Provincial Council, consisting

of twelve Knights, for in every Region, each Region choosing their weekly Provosts, of the Council thus constituted, one Knight more chosen out of the same Region in the Senate, being an annual Magistrate is President, with power to propose, and the opinions proposed by the President, or any two of the Provosts are Debated by the Council, and if occasion bee of farther power or instruction, than they yet have transmitted unto the Council of State, with which the Provincial is to hold Intelligence.

The President of this Councill is also Strategus, or General of the Provincial Army, wherefore the Conductors upon notice of his Election, and appointment of his Randezvous, deliver unto him the Stratiots of his Letter, which hee takes with him into his Province: and the Provincial Army having received the new Strategus, with the third Classis, the Council dismisseth the old Strategus with the first Classis. The like is done for Panopea, or any other Province.

But whereas the term of every other Magistracy or election in this Common-wealth, whether annual or triennial, requireth an equal Vacation, the term of a Provincial Counsellor or Magistrate, requireth no vacation at all. The Coram of a Provincial, as also that of every other Council and assembly, requireth two thirds in a time of health, and one third in a time of sickness.

——————— (*Insula Portum*
Efficit objectu laterum, geminique minantur
In cœlum scopuli, quorum sub vertice latè
Æquora tuta silent)

I think I have omitted nothing, but the Props and Scaffolds which are not of use but in building. And how much is here? Shew me another Commonwealth in this compass? How many things? Shew me another intire Government consisting but

but of thirty Orders. If you go to ſuit there lye unto ſome of your Courts two hundred original Writs; If you ſtir your hand, there go more nerves and bones unto the motion; If you play, you have more Cards in the pack; nay you could not ſit with your eaſe in that chair, if it conſiſted not of more parts, will you not allow unto your Legiſlator, what you can afford your Upholdſter; unto the Throne, what is neceſſary to a Chair?

My Lords, If you will have fewer Orders in a Commonwealth you will have more, for where ſhe is not perfect at firſt, every day, every houre will produce a new Order, the end whereof is to have no Order at all, but to grinde with the clack of ſome *Demagoge*; Is hee providing already for his golden Thumb? Lift up your heads; Away with Ambition, that fulſome complexion of a Stateſ-man, tempered like *Sylla's (Luto cum ſanguine)* with blood and muck. *And the Lord give unto his Senators wiſdome, and make our faces to ſhine, that we may be a light unto them that ſit in darkneſs, and the ſhadow of death, to guide their feet in the way of peace.* ---- In the Name of God, What's the matter! ----

Philadelphus the Secretary of the Council, having performed his task in reading the ſeveral Orders, as you have ſeen, upon the receit of a Packet, it ſhould ſeem from his correſpondent *Boccalini*, Secretary of *Parnaſſus*, in reading one of the letters, burſt forth into ſuch a violent paſſion of weeping, and down-right howling, that your Legiſlators being ſtartled with the apprehenſion of ſome horrid news; one of them had no ſooner ſnatched the letter out of his hand, then the reſt crying Read, Read, he obeyed in this manner.

The third inſtant, his *Phœbean* Majeſty, having taken the nature of free States into his Royal conſideration, and being ſteadily perſwaded, that the Laws in ſuch Governments are incomparably better, and more aſſuredly directed unto the good of mankinde, than in any other, that the courage of ſuch a people is the apteſt tindar, unto noble fire, that the genius of ſuch a ſoyl is that wherein the roots of good literature are leaſt

Trajno, a Boccalini, Centuria 1. *Ragual.* 21.

worm-eaten with Pedantiſme, and where their fruits have ever come unto the greateſt maturity, and higheſt reliſh, conceived ſuch a loathing of their Ambition and Tyranny, who uſurping the liberty of their native Countries, become ſlaves to themſelves, in as much as be it never ſo contrary unto their own nature or conſciences, they have taken the earneſt of ſin, and are ingaged to perſecute all men that are good. (For, *Nemo unquam imperium flagitio quæſitum bonis artibus exercuit*) with the ſame or greater rigor, than is ordained by Laws for the wicked, aſſembled all the Senators reſiding in the learned Court at the Theater of *Melpomene*, where he cauſed *Cæſar* the Dictator to come upon the Stage, and his Siſter *Actia*; his Nephew *Auguſtus*, *Julia* his Daughter, with the children which ſhe had by *Marcus Agrippa*, *Lucius*, and *Cajus Cæſars*, *Agrippa Poſthumus*, *Julia*, and *Agrippina*, with the numerous Progeny which ſhe bare unto her renowned husband *Germanicus*, to enter. A miſerable Scene in any, but moſt deplorable in the eies of *Cæſar*, thus beholding what havock his prodigious ambition, not ſatisfied with his own bloody ghoſt, had made upon his more innocent Remains, even unto the total extinction of his Family. For it is (ſeeing where there is any humanity, there muſt be ſome compaſſion) not to be ſpoken without tears, that of the full branches deriving from *Octavia*, the elder ſiſter, and *Julia* the Daughter of *Auguſtus*, there ſhould not be one fruit or bloſſome that was not cut off, or blaſted, by the Sword, Famine, or Poyſon. Now might the great ſoul of *Cæſar* have been full; and yet that which powred in as much or more, was to behold that execrable race of the *Claudii*, having hunted, and ſucked his blood with the thirſt of Tygars, to be rewarded with the *Roman* Empire, and remain in full poſſeſſion of the famous Patrimony: A ſpectacle to pollute the light of heaven. Nevertheleſs as if *Cæſar* had not yet enough, his *Phœbean* Majeſty cauſed to be introduced on the other ſide of the Theater, the moſt illuſtrious and happy Prince *Andrea Doria*, with his dear poſterity, imbraced by the ſoft and conſtant arms of the City *Genoa*, into whoſe boſome, ever fruit-

fruitful in her gratitude, he had dropp'd her fair liberty like the dew of heaven, which when the *Roman* Tyrant beheld, and how much more freſh that Lawrel was worn with a root in the hearts of the people, than that which hee had torn off; he fell into ſuch horrid diſtortion of limbs and countenance; that the Senators who had thought themſelves ſteel and flint at ſuch an object, having hitherto ſtood in their reverent ſnow like thawing Alpes, now covered their faces with their large ſleeves.

My Lords (ſaid the *Archon* riſing) witty *Philadelphus*, hath given us a grave admonition in a dreadful Tragedy (*Diſcite juſtitiam moniti, & non temnere divos*.) Great and glorious *Cæſar*, the higheſt character of fleſh, yet could not rule but by that part of man, which is the beaſt, but a Commonwealth is a Monarchy, to hear God is King, in as much as reaſon his dictate, is her Soveraign Power.

Which ſaid, he adjourned the Council. And the Model being ſoon after promulgated (*Quod bonum fœlix, fauſtumque ſit huic Reipub. Agite quirites, conſuere patres, jubeat populus*) *The Sea roared, and the Flouds clapt their hands.*

LIBERTAS

LIBERTAS

The Proclamation of his Highneſſe the Lord *Archon* of *Oceana*, upon Promulgation of the Model.

See the courſe of the *Decemvirs* in the promulgation of the firſt ten of their twelve Tables in *Livy*.

Whereas his Highneſs and the Council, in the framing of the model promulgated, have not had any private intereſt, or ambition, but the fear of God, and the good of this people before their eyes, and it remains their deſire, that this great Work may bee carried on accordingly, this preſent greeting is to inform the good people of this Land, that as the Council of Prytans ſate, during the framing of the model, to receive from time to time, ſuch propoſitions as ſhould be offered, by any Wiſe hearted or publick ſpirited man, towards the inſtitution of a well ordered Common-Wealth, ſo the ſaid Council is to ſit as formerly in the great Hall of the Pantheon, during Promulgation

gation, which is to continue for the ſpace of three months, to receive, weigh, and as there ſhall bee occaſion, tranſmit, unto the council of Legiſlators, all ſuch objections as ſhall be made againſt the ſaid Model, whether in the whole, or in any part. Wherefore that nothing bee done rathly, or without conſent of the people, ſuch of what party ſoever, with whom there may remain any doubts or difficulties, are deſired with all convenient ſpeed to addreſs themſelves unto the ſaid Prytans, where if ſuch objections, doubts, or difficulties receive ſolution unto the ſatisfaction of the auditory, they ſhall have publick thanks, but if the ſaid objections, doubts, or difficulties, receive no ſolution unto the ſatisfaction, of the auditory, then the model promulgated ſhall bee revieved, and the party that was the occaſion of the review, ſhall receive publick thanks, together with the beſt horſe in his highneſſes Stable, and bee one of the Council of Legiſlators. And ſo God have you in his keeping.

I ſhould now write the ſame Council of the *Prytans*, but for two reaſons, the one, that having had but a ſmall time for that which is already done, I am over-laboured; The other, that there may be new objections: Wherefore if my Reader have any ſuch as to the Model, I intreat him to addreſs himſelf by way of Oration, as it were unto the *Prytans* that when this rough draught

draught comes to be a work, his ſpeech being faithfully inſerted in this place, may give, or receive correction unto amendment For what is written will be weighed but converſation, in theſe dayes is a game, at which they are beſt provi ded that have light Gold

It is like the ſport of women that make flowers of ſtraws, which muſt be ſtuck up, but may not be touched? Nor, which is worſe, is this the fault of converſation onely. But to the Examiner, I ſay, *If to invent method, and to teach an art, be all one*, Let him ſhew that this Method is not truly invented, or this Art is faithfully taught.

Ariſt. Rhet.

I cannot conclude a Circle, (and ſuch is this Commonwealth) without turning the end into the beginning. The time of Promulgation being expired, the Surveyors were ſent down, who having in due ſeaſon made report that their work was perfect, the *Orators* followed, under the adminiſtration of which officers, & Magiſtrates the Commonwealth was ratified and eſtabliſhed by the whole body of the people, *Curiatis*, *Centuriatis*, and *Tributis Comitiis*. And the Orators being by vertue of their Scroles or lots, members of their reſpective Tribes, were elected each firſt Knight of the third Liſt, or Galaxy: Wherefore having at their return, aſſiſted the *Archon* in putting the Senate, and the People or Prerogative into motion, they abdicated the Magiſtracy both of Orators and Legiſlators.

THE

The Corollary.

FOR the reſt (ſayes *Plutarch* cloſing up the ſtory of *Lycurgus*) when he ſaw that his Government had taken root, and was in the very Plantation ſtrong enough to ſtand by it ſelf; he conceived ſuch a delight within him, as GOD is deſcribed by *Plato* to have done, when he had finiſhed the Creation of the World, and ſaw his owne Orbes move below him: For in the Art of Man, being the imitation of nature, which is the *Art of GOD, there is nothing ſo like the firſt Call of beautifull Order, out of Chaos and Confuſion, as the Architecture of a well order'd Commonwealth. Wherefore *Lycurgus* ſeeing in effect, that his Orders were good, fell into deep Contemplation how he might render them, ſo far forth as is in humane providence, unalterable and immortall. To which end he aſſembled the People, and remonſtrated unto them, that for ought he could perceive, their Policy was already ſuch, and ſo well eſtabliſhed, as was ſufficient to entayle upon them and theirs, that virtue and felicity whereof humane Life is Capable.

* *Hobb*

Nevertheleſſe, there being another thing of greater Concernment then all the reſt, whereof he was not yet provided to give them a perfect accompt, nor could, till he had conſulted the Oracle of *Apollo*; he deſired that they would obſerve his Lawes, without any change or alteration whatſoever, till his return from *Delphos*; unto which all the People chearfully and unanimouſly engaged themſelves by promiſe, deſiring him that he would make as much haſt as he could. But *Lycurgus* before he went, began with the Kings and the Senators, and thence taking the whole People in Order, made them all ſwear unto that which they had promiſed, and then took his Journey. Being arrived at *Delphos*, he ſacrificed unto *Apollo*, and afterwards enquired if the policy which he had eſtabliſhed, were good and ſufficient for a virtuous and an happy Life. (It hath been a Maxime with Legiſlators, not to give Checks unto the preſent Superſtition, but to make the beſt uſe of it, as that which is alwayes the moſt powerfull with the People; otherwiſe though *Plutarch* being a Prieſt, was intereſted in the cauſe, there is nothing plainer then *Cicero* in his Book *De Divinatione* hath ſhewed it, that there was never any ſuch thing as

an Oracle, except in the Art of the Priests. But to be civill unto the Author.) The *God* answered *Lycurgus*, that his policy was exquisite, and that his City holding unto the strict observation of his forme of Government, should attain unto the height of fame and glory. Which Oracle *Lycurgus* causing to be written, failed not to send unto his *Lacidemon*. This done, that his Citizens might be for ever inviolably bound by their Oath, that they would alter nothing till his return, he took so firm a Resolution to dye in the Place, that from thence forward receiving no manner of food, he soone after performed it accordingly. Nor was he deceived in the Consequence, for his City became the first in glory and excellency of Goverment in the whole World. And so much for *Lycurgus* according to *Plutarch*.

My Lord *Archon* when he beheld not onely the rapture of motion, but of joy and harmony, into which his Sphears without any manner of Obstruction or enterfering, but as it had been naturally were cast, conceived not les of exultation in his Spirit, but saw no more necessity or reason why he should administer an Oath unto the Senate and the People, that they would observe his Institutions, then unto a Man in perfect health, and felicity of Constitution that he would not kill himself. Nevertheless whereas Christianity though it forbid violent hands, consisteth no lesse in Self denial then any other Religion, he resolved that all carnall Concupisence should dye in the Place, to which end that no manner of Food might be left unto ambition, he entred into the Senate with an unanimous Applause, And having spoken of his Goverment as *Lycurgus* did when he assembled the People, abdicated the Magistracy of *Archon*. The Senate as strucken with astonishment continued silent, Men upon so suddain an Accident being altogether unprovided of what to say; till the *Archon* withdrawing, and being almost at the doore, divers of the Knights flew from their Places offering as it were to lay violent hands on him, while he escaping left the Senate with the tears in their eyes of Children that had lost their Father, and to rid himself of all farther importunity, retired unto a Country house of his, being remote and very private, in so much that no Man could tell for some time what was become of him. Thus the Law-Maker happened to be the first object and reflection of the Law made: For as Liberty of all things is the most welcome unto a People, so is there nothing more abhorrent from their nature then ingratitude. We accusing the *Roman* People of this Crime against some of their greatest Benefactors, as *Camillus*, heap mistake upon mistake, for being not so competent Judges of what belongs unto Liberty as they

were,

were, we take upon us to be more competent Judges of virtue. But whereas virtue for being a vulgar thing among them, was of no leſſe rate then Jewels are with ſuch as wear the moſt; we are ſelling this ſtone which we have ignorantly raked out of the *Roman* ruders, at ſuch a rate as the *Switz* did that which they took in the Baggage of *Charles* of *Burgundy*: For that *Camillus* had ſtood more firme againſt the Ruine of *Rome* then her Capitol, was acknowledged: But on the other ſide that he ſtood as firme for the *Patricians* againſt the Liberty of the People was as plain; wherefore he never wanted of the People that would dye at his foot in the Field, nor that would withſtand him to his beard in the City. An example in which they that think that *Camillus* had wrong, neither doe themſelves right nor the People of *Rome*, who in this ſignifie no leſſe then that they had a ſcorn of ſlavery beyond the fear of Ruine, which is the height of Magnanimity. The like might be ſhewn by other examples, objected againſt this, and other Popular Government, as in the Baniſhment of *Ariſtides* the Juſt from *Athens*, by the Oſtraciſme, which firſt was no puniſhment, nor ever underſtood for ſo much as a diſparagement, but tended only to the Security of the Common-wealth, through the removall of a Citizen, whoſe Riches or Power with a party was ſuſpected, out of harms way for the ſpace of ten years, neither to the diminution of his Eſtate or Honour. And next though the virtue of *Ariſtides* might in it ſelf be unqueſtioned, yet for him under the name of the Juſt to become Univerſall Umpire of the People in all caſes, even to the neglect of the Legall wayes and orders of the Common-wealth, approached ſo much unto the Prince, that the *Athenians* doing *Ariſtides* no wrong, did their Government no more then right in removing him, which therefore is not ſo probable to have come to paſſe as *Plutarch* preſumeth, through the envy of *Themiſtocles*: ſeeing *Ariſtides* was far more popular then *Themiſtocles*, who ſoon after took the ſame walk upon a worſe occaſion. Wherefore as *Machiavill* for any thing ſince alleadged hath irrefragably proved that Popular Governments are of all other the leaſt ingratefull, ſo the obſcurity (I ſay) into which my Lord *Archon* had now withdrawn himſelf, cauſed an univerſall ſadneſſe and cloud in the minds of Men upon the glory of his riſing Commonwealth.

Much had been ventilated in private diſcourſe, and the People (for the Nation was divided into Parties that had not yet loſt their animoſities) being troubled, bent their eyes upon the Senate, when after ſome time ſpent in devo-

tion, and the ſolemn Action of Thankſgiving, his Excellency *Navarchus de Paralo* in the Tribe of *Dorean*, Lord *Strategus* of *Oceana* (though in a new Common-wealth a very Prudent Magiſtrate) propoſed his part or Opinion in ſuch manner unto the Council of State, that paſſing the Ballott of the ſame with great unanimity and applauſe, it was introduced into the Senate, where it paſt with greater. Wherefore the Decree being forthwith Printed and Publiſhed, Copies were returned by the Secretaries unto the *Phylarches* (which is the manner of Promulgation) and the Commiſſioners of the Seal, that is to ſay, the Right Honourable *Phoſphorus de Auge* in the Tribe of *Eudia*, *Dolabella d' Enyo* in the Tribe of *Turmæ*, and *Linceus de Stella* in the Tribe of *Nubia* being elected Propoſers *pro tempore*, b[e] ſpoke of the *Tribunes* a Muſter of the People to be held that day 6 weeks, which was the time allowed for Promulgation, at the *Halo*.

The Satisfaction which the People throughout the Tribes received upon promulgation of the Decree, loaded the Carriers with weekly Letters between Friend & Friend, whether Magiſtrates or private Perſons. But the day for Propoſition being com[e], and the Prærogative upon the Place appointed in Diſcipline, *Sanguine de Ringwood* in the Tribe of *Saltum* Captain of the *Phœnix* marched by Order of the Tribunes with his Troop unto the *Piazza* of the *Pantheon*, where his Trumpets entering into the great Hall by their Blazon gave notice of his Arrivall, at which the Serjant of the Houſe came downe, and returning informed the Propoſers, who deſcending were received at the foot of the Staires by the Captaine, and attended unto the Coaches of State, with which *Calcar de Gilvo* in the Tribe of *Phalera* Maſter of the Horſe, and the *Ballotins* upon their great Horſes ſtood waiting at the Gate

The Propoſers being in their Coaches, the Traine being for the Pompe the ſame that is uſed at the reception of Embaſſadors, proceeded in this order, In the Front marched the Troop with the Cornet in the van, and the Captaine in the rear: next the Troop came the twenty Meſſengers or Trumpets; the *Ballotins* upon the Corvet with their Uſher in the van, and the Maſter of the Horſe in the Rear: Next the *Ballotins Bronchus de Rauco* in the Tribe of *Beſtia* King of the *Herraulds* with his fraternity in their Coats of Arms; And next unto S[r] *Brochus*, *Boriſtenes de Holiwater* in the Tribe of *Ave* Maſter of the Ceremonies: The Mace and the Seale of the Chancery went immediately before the Coaches, and on either ſide the doore-keepers or Guard of the Senate with their Pole-axes, accompanied with ſome three, or four hundred

dred Footmen, belonging unto the Knights or Senators; The Trumpeters *Ballotins*, Guards, Poſtilions, Coach-men, and Foot-men being very gallant in the Liveries of the Common-wealth, but all except the *Ballotins* without hatts, in lieu whereof they wore black velvet calots being pointed with a little peake at the forehead. After the Propoſers, came a long file of Coaches full of ſuch Gentlemen as uſe to grace the Commonwealth upon like occaſions. In this poſture they moved ſlowly through the Streets, affording in the Gravity of the Pomp, and the welcomneſſe of the end, a moſt reverent and acceptable Proſpect unto the People from the *Pantheon* to the *Halo*, being about half a mile, arrived at the *Halo*, where they found the Prerogative in a cloſe body inviron'd with Scaffolds that were covered with Spectators: The *Tribunes* received the Propoſers, and conducted them into a ſeat placed in front of the Tribe, like a Pulpit, but that it was of ſome length, and well adorned by the Herraulds, with all manner of Birds and Beaſts, ſave that they were ill Painted, and never a one of his naturall colour. The *Tribunes* were placed at a Table that ſtood below the long ſeat, thoſe of the Horſe in the middle, and thoſe of the Foot at either end, with each of them a bowle or baſon before him, that on the right hand being white, and the other green: in the middle of the Table ſtood a third which was red. And the Houſe-keeper of the Pavillion who had already delivered a proportion of linnen balls or pellets unto every one of the Tribe, now preſented boxes unto the *Ballotines*. But the Propoſers as they enter'd the Gallery, or long Seat, having put off their Hats by way of Salutation, were anſwered by the People with a ſhout, whereupon the younger Commiſſioners ſeated themſelves at either end, and the firſt ſtanding in the middle, ſpake after this manner.

My Lords,

My Lords, the People of OCEANA.

WHILE I find in my ſelf what a felicity it is to Salute you by this Name, and in every face anointed as it were with the Oyle of Gladneſſe, a full and ſufficient teſtimony of the like ſenſe. To goe about to feaſt you with words, who are already filled with that food of the mind, which being of pleaſing and wholeſome digeſtion, taketh in the difinition of true joy, were a needleſſe enterprize. I ſhall rather remember you of that thankfulneſſe which is due, then puff you up with any thing that might ſeeme vaine. Is it from the armes of fleſh that we derive theſe Bleſſings? Behold the Common wealth of *Rome* falling upon her owne victorious Sword. Or is it from our own Wiſedome, whoſe Counſells had brought it even to that paſſe that we began to repent our ſelves of Victory? Far be it from us (my Lords) to Sacrifize unto our owne Nets, which we our Selves have ſo narrowly eſcaped; Let us rather lay our mouths in the duſt, and look up, (as was taught the other day when we were better inſtructed in this Leſſon) unto the Hills with our gratitude. Nevertheleſſe ſeeing we read how GOD upon neglect of his Prophets hath been provoked unto wrath; it muſt needs follow that he expecteth Honour ſhould be given unto them by whom he hath choſen to worke as his Inſtruments. For which cauſe nothing doubting of my warrant, I ſhall proceed unto that which more particularly concerneth the preſent occaſion, the diſcovery of my Lord *Archons* virtues and merit to be ever placed by this Nation in their true Meridian.

My Lords,

I Am not upon a ſubject which perſwadeth me to balk, but neceſſitateth me to ſeek out the greateſt examples. To begin with *Alexander* erecting Trophies common with his Sword and the Peſtilence; to what good of Mankind did he infect the ayre with his heaps of carkaſes? The ſword of war, if it be any otherwiſe uſed then as

as the ſword of magiſtracy for the feare and puniſhment of thoſe that doe evil, is as guilty in the ſight of GOD, as the Sword of a Murderer; nay more, for if the blood of *Abel*, of one iunocent Man, cryed in the ears of of the Lord for Vengeance, What ſhall the blood of an innocent Nation? Of this kind of Empire, the Throne of Ambition, the quarry of a mighty Hunter, it hath been truly ſayd, that it is but a great Robbery. But if *Alexander* had reſtored the Liberty of *Greece*, and propagated it unto Mankind, he had done like my Lord *Archon*, and might have been truly call'd the Great. *Alexander* cared not to ſteale a victory, that would be given. But my Lord *Archon* hath torne away a victory which had been ſtolne, while we were tamely yeelding up Obedience unto a Nation reaping in our Fields, whoſe fields he hath ſubjected unto our Empire, and nayled them with his victorious Sword unto their native *Caucaſus*.

Machiavill gives an handſome Caveat, Let no man (ſayth he) be circumvented with the Glory of *Cæſar*, from the falſe reflection of their pens, who through the longer continuance of his Emp re in the name then in the family, changed their freedome for flattery. But if a man would know truly what the *Romans* thought of *Cæſar*, lett him obſerve what they ſaid of *Catiline*.

And yet by how much he who hath perpetrated ſome heighnous Crime, is more execrable then he who did but attempt it: by ſo much is *Cæſar* more execrable then *Catline*. To the contrary let him that would know what ancient and heroicall times, what the *Greeks* and *Romans* would both have thought and ſayd of my Lord *Archon*; Obſerve what they thought and ſayd of *Solon*, *Lycurgus*, *Brutus*, and *Publicola*. And yet by how much his vertue that is crown'd w[illegible] the perfection of his worke, is beyond theirs, who were either inferiour in their ayme, or in their performance, by ſo much is my Lord *Archon* to be preferred before *Solon*, *Lycurgus*, *Brutus*, and *Publicola*.

Nor will we ſhun the moſt illuſtrious example of *Scipio*; this *Hero*, though never ſo little leſſe, yet was he not the founder of a Common-wealth, and for the reſt allowing his tue to have been of the moſt untainted ray, in what did it out thine this of my Lord *Archon*? But if dazling the eyes of the Magiſtrates it over-awed Liberty, *Rome* might be allowed ſome excuſe that She did not like it, and I, if I admit not of this compariſon. For where is my Lord *Archon*? Is there a Genius, how free ſoever, which in his preſence would not find it ſelf to be under power? He is ſhrunk into Clouds, he ſeeks obſcurity in a Nation that ſees by his light. He is im-

impatient of his own Glory, leaſt it ſhould ſtand between you and your Liberty.

Liberty! What is that, if we may not be gratefull? And if we may, we have none: For who hath any thing he doth not owe? My Lords, there be ſome hard conditions of virtue: If this debt were exacted, it were not due; whereas being cancel'd, we are all entred into Bonds. On the other ſide, if we make ſuch payment as will not ſtand with a free People, we doe not enrich my Lord *Archon*, but Rob him of his whole eſtate, and of his immence glory.

Theſe Particulars had in due deliberation, and mature debate, according unto the orders of this Common-wealth. *It is propoſed by Authority of the Senate to you my Lords the People of* Oceana.

I. THat the Dignity and Office of *Archon*, or *Protector* of the Common-wealth of *Oceana*, be, and is hereby confer'd by the Senate and the People of *Oceana*, upon the moſt Illuſtrious Prince, and ſole Legiſlator of this Common-wealth, *Olphaus Megaletor* (*Pater Patriæ*) whom God preſerve, for the terme of his naturall Life.

II. That three hundred and fifty thouſand pounds *per annum* yet remaining of the ancient Revenue, be eſtated upon the ſaid illuſtrious Prince, or Lord *Archon*, for the ſaid terme, and to the propper and peculiar uſe of his Highneſſe.

III. That the Lord *Archon* have the reception of all Forreigne Embaſſadors, by and with the Councill of State, according unto the orders of this Common-wealth.

IV. That the Lord *Archon* have a ſtanding Army of twelve thouſand Men, defrayed upon a monethly tax, dureing the terme of three years, for the Protection of this Common-wealth, againſt diſſenting Parties, to be govern'd, directed, and Commanded by, and with the advice of the Council of War, according unto the Orders of this Common-wealth.

V. That this Common-wealth make no diſtinction of Perſons or Parties, but every man being Elected and ſworn, according unto the Orders of the ſame, ſhall be equally capable of Magiſtracy; or not Elected, ſhall be equally capable of Liberty, and the enjoyment of his Eſtate free from all other then common Taxes.

VI. That a man putting a diſtinction upon himſelf, refuſing the Oath upon Election, or declaring himſelf of a party, not conformable to the civil Government, may within any time of the three years ſtanding of the Army, tranſport himſelf and his Eſtate, without moleſtation or impediment, into any other Nation.

VII. That

VII. That in caſe there remain any diſtinction of Parties not conforming unto the civil Government of this Common-wealth, after the three years of the ſtanding Army be expired, and the Common-wealth be thereby forced to prolong the terme of the ſaid Army, the pay from thenceforth of the ſaid Army, ſhall be levied upon the Eſtates of ſuch parties ſo remaining unconformable unto the Civil Government.

The Propoſer having ended his Oration, the Trumpets ſounded, and the *Tribunes* of the Horſe being mounted to view the *Ballot*, cauſed the Tribe which thronging up to the Speech, came almoſt round the Gallery, to retreat a matter of twenty paces, when *Linceus de Stella* receiving the Propoſitions, repaired with *Bronchus de Rauco* the Heralt, unto a little Scaffold erected in the middle of the Tribe, where he ſeated himſelf, the Herrault ſtanding bare upon his right hand. The *Ballotines* having their boxes ready, ſtood before the Gallery, and at the Command of the *Tribunes* marched, one unto every Troop on Horſback, and one unto every Company on foot, each of them being followed by other Children that bore red boxes, (this is putting the Queſtion whether the Queſtion ſhould be put.) And the Suffrage being very ſuddainly returned unto the *Tribunes* of the Table, and number'd in the view of the Propoſers, the Votes were all in the Affirmative; whereupou the red, or doubtfull Boxes were laid aſide, it appearing that the Tribe whether for the Negative or Affirmative, was clear in the matter. Wherefore the Herrault began from the Scaffold in the middle of the Tribe to pronounce the firſt Propoſition, and the *Ballotines* marching with the Negative and Affirmative only: *Bronchus* with his voyce like Thunder, continued to repeat the Propoſition over and over again ſo long as it was in Balloting: The like was done for every Clauſe, till the Ballot was finiſht, and the *Tribunes* aſſembling had ſigned the points, that is to ſay, the number of every Suffrage, as it was taken by the Secretary upon the tale of the *Tribunes*, and in the ſight of the Propoſers; for this may not be omitted, it is the pulce of the People. Now whereas it appertaineth unto the *Tribunes* to report the Suffrage of the people unto the Senate, they caſt the Lot for this Office with three ſilver Balls; and one gold one, and it fell upon the R^t^ Worſhipfull *Argus de Crookhorne*, in the Tribe of *Paſcua*, firſt *Tribune* of the Foot. *Argus* being a good ſufficient Man in his own Country, was yet of the mind that he ſhould make but a bad ſpokes man, and therefore became ſomething blank-at his Luck, till his colleagues perſwaded him that it was no ſuch great matter, if he could but read, have-

ing his Paper before him. The Propoſers takeing Coach, received a volley upon the Field, and returned in the ſame Order, ſave that being accompanied with the *Tribunes*, they were alſo attended by the whole Prærogative unto the *Piazza* of the *Panthcon*, where with another volley they took their leaves. *Argus*, who had not thought upon his Wife and Children all the way, went very gravely up, and every one being ſeated, the Senate by their ſilence ſeemed to call for the Report, which *Argus* ſtanding up, delivered in this wiſe.

Right Honourable Lords and Fathers Aſſembled in Parliament,

SO it is, that it hath falne unto my Lot to report unto your Excellencies the Votes of the People, taken upon the third inſtant, in the firſt year of this Commonwealth, at the *Halo*; the R^t Honourable *Phoſphorus de Ange*, in the Tribe of *Eudia*, *Dolabella d' Enjo*, in the Tribe of *Turmæ*, and *Linceus de Stella*, in the Tribe of *Nubia*, Lords Commiſſioners of the Great Seal of *Oceana*, and Propoſers *pro temporibus* — Together with my Brethren the *Tribunes*, and my Self being preſent. Wherefore theſe are to certifie unto your Fatherhoods, that the ſaid Votes of the People were as followeth; that is to ſay.

Unto the firſt Propoſition, *Nemine Contradicante*—
Unto the ſecond *Nomine Contradicante*—
Unto the third, the like.
Unto the fourth 211 above half.
Unto the fifth 201 above half.
Unto the ſixth 150 above half, in the Affirmative.
Unto the ſeaventh, *Nomine* again, and ſo forth—

My Lords, it is a Language that is out of my Prayers, and if I be out at it, no harm—

But as concerning my Lord *Archon* (as I was ſaying) theſe are to ſignifie unto you, the true-heartedneſſe, and good will which is in the People, ſeeing by joyning with you, as one Man, they confeſſe that all they have to give, is too little for his Highneſſe. For truly (Fathers) if he who is able to doe harm, and doth none, may well be called honeſt.

neſt. What ſhall we ſay unto my Lord *Archon's* Highneſſe, who having had it in his power to have done us the greateſt miſchief that ever befell a poor Nation, ſo willing to truſt ſuch as they thought well of, hath done us ſo much good, as we ſhould never have known how to doe our ſelves? which was ſo ſweetly delivered by my Lord Chancellor *Phoſophorus*, unto the People, that I dare ſay there was never an one of them could forbear to doe as I doe—— An't pleaſe your Fatherhoods they be tears of Joy. Ah my Lord *Archon* ſhall walk the ſtreets (an it be for his eaſe I mean) with a Switch, while the People run after him, and pray for him: he ſhall not wet his foot, they will ſtrew flowers in his way: he ſhall ſit higher in their hearts, and in the judgement of all good Men, then the Kings that goe up ſtairs unto their ſeats, and one of theſe had as good pull two or three of his Fellowes out of their great Chaires, as wrong him, or meddle with him; he ha's two or three hundred thouſand Men, that when you ſay the word, ſhall ſell themſelves unto their ſhirts for him, and dye at his foot. His Pillow is of Down, and his grave ſhall be as ſoft, over which they that are alive ſhall wring their hands. And to come unto your Fatherhoods, moſt truly ſo called, as being the loving Parents of the People; truly you doe not know what a feeling they have of your Kindneſſe, ſeeing you are ſo bound up, that if there come any harm, they may thank themſelves: And (alaſſe! poor ſouls) they ſee that they are given to be of ſo many minds, that though they always mean well, yet if there come any good, they may thank them that teach them better. Wherefore there was never ſuch a thing as this invented, they doe verily believe that it is none other then the ſame which they always had in their very heads, if they could have but told how to bring it out: As now for a ſample, My Lords the Propoſers had no ſooner ſaid your minds, then they found it to be that which heart could wiſh. And your Fatherhoods may comfort your ſelves, that there is not a People in the world more willing to learn what is for their own goods, nor more apt to ſee it, when you have ſhew'd it them: Wherefore they doe love you as they doe their own ſelves, Honour you as Fathers, reſolve to give you as it were Obedience for ever; and ſo thanking you for your moſt good and excellent Lawes, they doe pray for you as the very Worthies of the Land, Right Honourable Lords and Fathers aſſembled in Parliament.

Argus came off beyond his own expectation, for thinking right, and ſpeaking as he thought, it was apparent by the Houſe, and the thanks they gave him, that they eſteemed

him to be abſolutely of the beſt ſort of Orators, upon which having a mind that till then miſgave him, he became very Crounſe, and much delighted with that which might goe down the next week in Print unto his Wife, and his Neighbours. *Livy* makes the *Roman Tribunes* to ſpeak in the ſame ſtile with the Conſuls, which could not be, and therefore for ought in him to the contrary, *Volero & Canuleius* might have ſpoken no otherwiſe forth their ſtile, then *Argus*. However they were not created the firſt year of the Commonwealth; and the *Tribunes* of *Oceana* are ſince become better Orators then were needfull. But the Lawes being Enacted, had the Preamble annexed, and were delivered unto *Bronchus*, who loved nothing in the Earth ſo much as to goe ſtaring and bellowing up and down the Town, like a Stagg in a Forreſt, as he now did, with his Fraternity in their Coats of Arms, and I know not how many Trumpets, Proclaiming the Act of Parliament, when meeting my Lord *Archon* (who from a retreat that was without Affectation, as being for Devotion only, and to implore a bleſſing by Prayer and Faſting, upon his labours, now newly Arrived in Town) the Herault of the Tribe of *Beſtia*, ſet up his throat, and having chaunted out his Leſſion, paſt as haughtily by him, as if his own had been the better Office; which in this place was very well taken, though *Bronchus* for his high mind, happened afterwards upon ſome diſaſters (too long to tell) that ſpoyled much of his Embroidery.

My Lord *Archons* arrivall being known, the Signory acompanyed by the *Tribunes*, repaired unto him, with the newes he had already heard by the Herrauld: to which my Lord *Strategus* added, That his Highneſſe could not doubt upon the Demonſtrations given, but the minds of men were firme in the opinion, that he could be no ſeeker of himſelfe, in the way of earthly Pompe and Glory; and that the Gratitude of the Senate, and the People, could not therefore be underſtood to have any ſuch reflection upon him; But ſo it was, that in regard of dangers abroad, and Parties at home, they durſt not truſt themſelves, without a ſtanding Army, nor a ſtanding Army in any mans hands, but thoſe of his Highneſſe.

The *Archon* made anſwer, that he ever expected this would be the ſenſe of the Senate, and the People, and this being their Sence, he ſhould have been ſorry they had made choice of any other then himſelfe for a ſtanding Generall; Firſt, becauſe it could not have been more unto their owne ſafety, and ſecondly, becauſe ſo long as they ſhould have need of a ſtanding Army, his worke was not done. That he would not diſpute againſt the Judgement of the Senate,

and

and the People, nor ought that to be: Nevertheleſſe, he made little doubt, but experience would ſhew every Party their owne Intereſt in this Government, and that better improved, then they could expect from any other; that mens animoſityes ſhould over ballance their Intereſt, for any time, was impoſſible, that humor could never be laſting, nor through the Conſtitution of the Govermment, of any effect at the firſt charge. For ſuppoſing the worſt, and that the People had choſen none other into the Senate, and the Prerogative, then royaliſts, a matter of Fourteen hundred men muſt have taken their Oaths at their Election, with an intention to go quite contrary, not only to their Oaths ſo taken, but to their own Intereſt; for being eſtated in the Soveraign Power, they muſt have decreed it from themſelves, (ſuch an example as for which there was never any experience, nor can be any reaſon) or holding it, it muſt have done in their hands as well every whit, as in any other. Furthermore, they muſt have removed the Government from a Foundation that apparantly would hold, to ſet it upon another which apparantly would not hold, which things if they could not come to paſſe, the Senate and the People, conſiſting wholly of Royalliſts, much leſſe by a parcel of them elected. But if the feare of the Senate and of the People, derived from a party without ſuch an one as would not be elected, nor engage themſelves unto the Common-wealth by any oath: this againe muſt be ſo Large, as would go quite contrary to their owne Intereſt, they being as free and as fully eſtated in their liberty, as any other, or ſo narrow that they could do no hurt, while the People being in Arms, and at the beck of the *Strategus*, every Tribe would at any time make a better Army, then ſuch a Party, and there being no parties at home, fears from abroad would vaniſh. But ſeeing it was otherwiſe determined by the Senate, and the People, the beſt courſe was to take that which they held the ſafeſt, in which with his humble thanks for their great bounty, he was reſolved to ſerve them with all duty and obedience.

A very ſhort time after, the Royalliſts now equall Citizens, made good the *Archons* Judgement, there being no other that found any thing near ſo great a ſweet in the Government. For he who hath not been acquainted with affliction (ſaith *Seneca*) knoweth but half the things of this world.

Moreover they ſaw plainly, that to reſtore the ancient Government, they muſt caſt up their Eſtates into the hands of three hundred men; wherefore in caſe the Senate, and the Prerogative conſiſting of thirteen hundred men, had been

been all Royallists, there must of necessity have been, and be for ever, one thousand against this or any such Vote. But the Senate being informed by the Signory, that the *Archon* had accepted of his Dignity and Office, caused a third Chair to be set for his Highness, between those of the *Strategus*, and the Orator in the House, the like at every Council; to which he repaired, not of necessity, but at his pleasure, being the best, and as *Argus* not vainly said, the greatest Prince in the World; for in the Pomp of his Court he was not inferiour unto any, and in the Field he was followed with a force that was formidable unto all: Nor was there a cause in the Nature of this constitution, to put him unto the charge of Guards, spoyle his stomack or his sleep: Insomuch as being handsomely disputed by the wits of the Academy, whether my Lord *Archon*, if he had been ambitious, could have made himself so great, it was carried clear in the Negative; not only for the Reasons drawn from the present ballance, which was Popular, but putting the case the ballance had been Monarchicall. For there be some Nations (whereof this is one) that will bear a Prince in a Common-wealth, far higher then it is possible for them to bear a Monarch. *Spain* looked upon the Prince of *Aurange* as her most formidable Enemy, but if ever there be a Monarch in that Country, he will be her best friend. For whereas a Prince in a Common-wealth, deriveth his greatnes from the root of the People, a Monarch deriveth his from one of those ballances which nip them in the root; by which means the *Low Countreyes* under a Monarch, were poor and inconsiderable, but in bearing a Prince could grow unto a miraculous height, and give the glory of his actions by far the upper hand of the greatest King in Christendome. There are Kings in *Europe*, to whom a King of *Oceana* would be but a *Petit Companion*. But the Prince of this Common-wealth is the terror, and the Judge of them all.

That which my Lord *Archon* now minded most, was the *Agrarian*, upon which debate he unceſſantly thrust the Senate, and the Council of State, to the end it might be planted upon some firm root, as the main point and Basis of perpetulty unto the Common-wealth.

And these are some of the most remarkable Passages that happened in the first year of this Government. About the latter end of the second, the Army was disbanded, but the Taxes continued at thirty thousand pounds a month, for three years and an half. By which means a piece of Artigliery was Planted, and a portion of Land to the value of 50. *l.* a year purchased for the maintenance of the Games, and of the Priz-arms for ever, in each Hundred.

With

With the eleventh year of the Common-wealth, the terme of the Exciſe, allotted for the mayntenance of the Senate and the People, and for the rayſing of a Publique Revenue, expired. By which time the Exchequer over and above the annuall Sallaryes, amounting unto three hundred thouſand pounds, accumulating every year out of one Million income, Seaven hundred thouſand pounds, in Bancho, brought it with the Product of the Summe, riſing to about eight Millions in the whole, whereby at ſeveral times they had purchaſed unto the Senate and the People, Foure hundred thouſand pounds *per annum*, ſollid Revenue: which beſides the Lands holden in *Panopea*, together with the Perquiſites of either Province, was held ſufficient for a publique Revenue. Nevertheleſſe, Taxes being now wholly taken off, the Excize of no great burthen, and many ſpecious Advantages not vainly propoſed in the heightening of the Publique Revenue, the Exciſe was very chearfully eſtabliſhed by the Senate and the People, for the terme of ten years longer: and the ſame courſe being taken, the Publique Revenue was found in the One and twentieth of the Common-wealth, to be worth one Million in good Land; Whereupon the Exciſe was ſo aboliſhed for the preſent; as with all reſolved to be the beſt, the moſt fruitfull and eaſie way of raiſing Taxes, according unto future Exigencies. But the Revenue now ſuch, as was able to be a yearly Purchaſer, gave a jealouſie that by this means the ballance of the Common-wealth, conſiſting in private Fortunes, might be eaten out; whence this yeare is famous for that Law whereby the Senate & the People forbidding any farther Purchaſe of Lands unto the Publique, within the Dominions of *Oceana*, and the adjacent Provinces, put the *Agrarian* upon the Common-wealth her ſelf. Theſe encreaſes are things which men, addicted unto Monarchy, deride as impoſſible, whereby they unwarily urge a ſtrong Argument, againſt that which they would defend: For having their eyes fixed upon the Pomp and Expence, by which not only every Child of a King being a Prince, exhauſteth his Fathers Coffers; but favorites and ſervile ſpirits devoted unto the flattery of thoſe Princes, grow inſolent and profuſe, returning a fit Gratitude unto their Maſters, whom while they hold it honourable to deceive, they ſuck and keep eternally poor. It followes that they doe not ſee how it ſhould be poſſible for a Common-wealth to cloath her ſelf in Purple, and thrive ſo ſtrangely upon that which would make a Prince's haire grow through his hood, and not afford him bread. As if it were a Miracle that a careleſs and Prodigall Man ſhould bring ten thouſand pounds a year

year to nothing, or that an induſtrious and frugall Man brings a little unto ten thouſand pounds a year. But the fruit of a mans induſtry and frugality, can never be like that of a Common-wealth, firſt becauſe the Greatneſſe of the encreaſe, followes the greatneſſe of the Stock or principall: and ſecondly, becauſe a frngall Father is for the moſt part ſucceeded by a Laviſh Son, whereas a Common-wealth is her owne Heire.

This year a part was propoſed by the Right Honourable *Aureus de Woolſacke* in the Tribe of *Pecus*, firſt Commiſſioner of the Treaſury; unto the Council of State, which ſoon after paſt the ballot of the Senate and the People: by which the Lands of the Publique Revenue amounting unto one Million, were equally divided into five thouſand Lots, enter'd by their names and parcells into a Lot-booke preſerved in the Exchequer: and if any Orphant being a Mayd ſhould caſt her Eſtate into the Exchequer for Fourteen hundred pounds, the Treaſury was bound by the Law to pay her quarterly Two hundred pounds a yeare, free from Taxes for her Life, and to aſſigne her a Lot for her Security; if ſhe marryed, her Huſband was neither to take ont the Principall without her conſent (acknowledged by her ſelfe unto one of the Commiſſioners of the Treaſury who accoridng as he found it to be free, or forced, was to allow or diſallow of it) nor any other way engage it, then to her propper uſe: But if the Principall were taken out, the Treaſury was not bound to repay any more of it then One thouſand pounds; nor might be repay'd at any time, ſave within the firſt year of the Marriage: the like was to be done by a halfe or quarter Lot reſpectively.

This was found to be a great Charity nnto the weaker Sex, and as ſome ſay, who are more ſkilfull in like Affairs then my ſelf, of good Profit to the Common-wealth.

Now began the Native Spleen of *Oceana* to be much purged, and men not to affect ſullenneſſe and Pedantiſme. The Elders could remember that they had been Youth. Wit and Gallantry were ſo far from being thought Crimes in themſelves, that care was taken to preſerve their innocence. For which cauſe it was propoſed unto the Council for Religion, by the Right Honourable *Cadiſcus de Clero*, in the Tribe of *Stamnum*, firſt Cenſor, That ſuch women as living in Gallantry and view about the Town, were of evil fame, and could not ſhew that they were maintained by their own Eſtates or Induſtry; or ſuch as having Eſtates of their own, were yet waſtfull in their way of life, unto others, ſhould be obnoxious unto the animadverſion of the Council of Religion, or of the Cenſors: In which the proceeding

ſhould

ſhould be after this manner. Notice ſhould be firſt given of the ſcandall, unto the party offending, in private; if there were no amendment within the ſpace of ſix Months, ſhe ſhould be ſummoned and rebuked before the ſaid Council or Cenſors: And if after other ſix Moneths it were found that neither this avayled, She ſhould be Cenſured not to appear at any Publick Meetings, Games or Recreations, upon Penalty of being taken up by the Door-keepers, or Guards of the Senate, and by them to be detained, untill for every ſuch offence, five pounds were duly paid for her enlargement.

Furthermore, if any Common-Strumpet ſhould be found, or any ſcurrility or prophaneſſe repreſented at either of the Theaters, the Prelates for every ſuch offence ſhould be fined Twenty pounds, by the ſaid Council, and the Poet for every ſuch offence on his part, ſhould be whipt. This Law relates unto another, which alſo was enacted the ſame year upon this occaſion.

The Youth and Wits of the Academy having put the buſineſſe ſo home in the defence of Comedies, that the Provoſts had nothing but the Conſequences provided againſt by the fore-going Law to object, prevailed ſo far, that two of the Provoſts of the Council of State, joyn'd in a Propoſition, which after much adoe came to a Law, whereby one hundred thouſand pounds was alotted for the building of two Theaters, one on each ſide of the *Piazza* of the *Halo*, and two annuall Magiſtrates called Prelates, choſen out of the Knights, were added unto the Tropick, the one called the Prelate of the *Buskin*, for inſpection of the Tragick Scene called *Melpomene*, and the other the Prelate of the *Socke*, for the Comick called *Thalia*, which Magiſtrates had each of them five hundred pounds a year, allowed out of the Profits of the Theaters, the reſt (except 800 a year to four Poets) payable into the Exchequer. A Poet *Laureate* created in one of theſe Theaters, by the *Strategus* receives a wreath of five hundred Pounds in Gold, paid out of the ſaid Profits. But no man is capable of this Creation, that had not two parts in three of the Suffrages at the Academy, aſſembled after ſix weeks warning, and upon that occaſion.

Theſe things among us are ſure enough to be cenſured, but by ſuch only as doe not know the nature of a Commonwealth; for to tell men that they are free, and yet to curb the genious of a People in a lawfull Recreation unto which they are naturally inclined, is to tell a tale of a Tub. I have heard the Proteſtant Miniſters in *France*, by men that were wiſe, and of their own profeſſion, much blamed in that they forbad Dancing, a Recreation to which the genious of that

aire is ſo enclining, that they loſt many who would not looſe that; nor doe they leſſe then blame the former determination of raſhneſſe, who now gently connive at that which they had ſo roughly forbidden. Theſe ſports in *Oceana* are ſo Governed, that they are pleaſing for private diverſion, and profitable unto the Publique: For the Theaters ſoon defrayed their own Charge, and now bring in a good Revenue. All this ſo far from the Detriment of virtue, that it is to the improvement of it, ſeeing Women that heretofore made havock of their Honours, that they might have their pleaſures, are now incapable of their pleaſures, if they looſe their Honours.

About the one and fortieth year of the Common-wealth, the Cenſors according unto their Annuall Cuſtome, reported the Pillar of *Nilus*, by which it was found that the People were encreaſed very near one third. Whereupon the Council of War was appointed by the Senate to bring in a State of War, and the Treaſurers the State of the Treaſury. The State of War, or Pay, and Charge of an Army, was ſoon after exhibited by the Council, in this Accompt.

The Field Pay of a Parlamentary Army.

		L. *per ann.*
	The Lord Strategus, *Marching*	0010000
Polymarches.	Generall *of the Horſe*	0002000
	Lievtenant-Generall	0002000
	Generall *of the* Artigliery	0001000
	Commiſſary-Generall	0001000
	Major-Generall	0001000
	Quarter-Maſter-Generall	0001000
	Two Adjutants *to the Major Generall*	0001000
	Forty Colonells	0040000
	100 *Captaines of Horſe, at* 500. l. *a man*	0050000
	300 *Captaines of Foot, at* 300. l. *a man*	0090000
	100 *Cornets, at* 100. l. *a man*	0010000
	300 *Enſignes, at* 50. l. *a man*	0015000
	800 Quarter-Maſters, Serjants, Trumpeters, Drummers	0020000
	10000 *Horſe, at* 2. s. 6. d. *a day each*	0470000
	30000 *Foot, each at* 1. s. *the day*	0500000
	Chyrurgeons	0000400
	Sum	1114400

40000 Auxi-

40000 Auxiliaries, *amounting unto within a little as much* ——— 1100000
The Charge of mounting 20000 *Horſe* ——— 0300000
The Trayne of Artigliery, *holding a* 3d *to the whole* ——— 0900000
Summa totalis ——— 3414400

Armes and Ammunition are not reckoned, as thoſe which are furniſht out of the Store or *Arſenall* of *Emporium*. Nor Waſtage, as that which goes upon the Accompt of the Fleet, maintained by the Cuſtomes, which Cuſtomes through the Care of the Council for Trade, and growth of Traffique, were long ſince improved unto about a Million Revenue. The Houſe being informed of a State of War, the Commiſſioners brought in

The State of the Treaſury *this preſent year, being the One and fortieth of the* Common-wealth.

	L.
Received from the one and twentieth of this Common-wealth, by 700000. *l.* a year in bank, with the Product of the ſum riſing ———	16000000

Expended from the one and twentieth of this Common-wealth.

Imprimis, For the Addition of Arms for 100000 Men, unto the *Arſenall*, or Tower of *Emporium* ———	01000000
For the ſtoring of the ſame with Artigliery ———	00300000
For the ſtoring of the ſame with Ammunition ———	00200000
For beautifying the Cities, Parks, Gardens, Publick Walks, and Places for Recreation, of *Emporium* and *Kiera*, with Publick Buildings, Aquaduets, Statues, and Fountaines, *&c.* ———	01500000
Extraordinary Embaſſies ———	00150000
Sum ———	03150000

Remaining in the Treaſury, the Salaries of the Exchequer being defaulked ———	12000000

By Compariſon of which Accompts, if a War with an Army of 80000 Men were to be made by the penny, yet was the Common-wealth able to maintain ſuch an one above three years, without levying a Tax. But it is againſt all experience, ſenſe and reaſon, that ſuch an Army ſhould not be ſoon broken, or make a great Progreſſe; in either of which Caſes the Charge ſeaſeth, or rather if a right courſe be taken in the latter, Profit comes in; for the *Romans* had no other conſiderable way, but Victory, whereby to fill their Treaſury, which nevertheleſſe was ſeldome empty. *Alexander* did not conſult his Purſe, upon his deſigne for *Perſia*. It is obſerved by *Machiavill*, that *Livy* arguing what the event in reaſon muſt have been, had that King invaded *Rome*, and diligently meaſuring what on each ſide was neceſſary unto ſuch a War, never ſpeaks a word of Money. No man imagines, that the *Gaules*, *Gothes*, *Vandalls*, *Huns*, *Lombards*, *Saxons*, *Normans*, made their inroads or Conqueſts by the ſtrength of the Purſe; and if it be thought enough according unto the Dialect of our age, to ſay in Anſwer unto theſe things, that thoſe times are paſt and gone. What money did the late *Guſtavus*, the moſt victorious of modern Princes, bring out of *Sweden* with him into *Germany*? An Army that goes upon a golden Leg, will be as lame as if it were a wooden one; but proper Horſes have Nerves and Muſcles in them, ſuch for which having four or five Millions, a ſum eaſie, with a Revenue like this of *Oceana*, to be had at any time in readineſſe, you need never, or very rarely Charge the people with Taxes. What influence the Common-wealth by ſuch Arms hath had, upon the world, I leave unto Hiſtorians, whoſe cuſtome it hath been of old, to be as diligent Obſervers of Forraigne Actions, as careleſſe of thoſe Domeſtique Revolutions, which (leſſe pleaſant it may be, as not partaking ſo much of the *Romance*) are unto Statesmen of far greater profit; and this fault if it be not mine, is ſo much more frequent with Modern Writers, as hath cauſed me to undertake this work, on which to give my own judgement, it is performed as much above the time I have been about it, as below the dignity of the matter.

But I cannot depart out of this Country, till I have taken leave of my Lord *Archon*, a Prince of immenſe felicity, who having built as high with his Councels, as he digg'd deep with his Sword, had now ſeen fifty years meaſured with his own unerring Orbes.

Plutarch in the Life of Timoleon.

Timoleon, ſo great a hater of Tyrants, that not able to diſſwade his Brother *Timophanes*, to relinquiſh the Tyranny of *Corinth*, he ſlew him; was afterwards Elected by the People, (the *Sicilians* groaning unto them from under the like burden)

den) to be ſent unto their relief: Whereupon *Teleclides* the Man at that time of moſt Authority in the Commonwealth of *Corinth*, ſtood up, and giving an Exhortation unto *Timoleon*, how he ſhould behave himſelf in his Expedition, told him that if he reſtored the *Sicilians* unto Liberty, it would be acknowledged that he had deſtroyed a Tyrant; if otherwiſe, he muſt expect to hear that he had murdered a King. *Timoleon* taking his leave, with a very ſmall Proviſion for ſo great a deſign, purſued it with a Courage not inferior to, and a felicity beyond any that had been known unto that day in mortall fleſh, having in the ſpace of eight years utterly rooted out of all *Sicely*, thoſe Weeds of Tyranny, through the deſtruction whereof Men fled in ſuch abundance from their Native Country, that whole Cities were left deſolate; and brought it unto ſuch a paſſe, that others through the fame of his Virtues, and the excellency of the ſoyle, flockt as faſt from all Quarters unto it, as to the Garden of the World. While he being preſented by the people of *Syracuſa*, with his Town houſe, and his Country retreat, the ſweeteſt Places in either, lived with his Wife and Children, a moſt quiet, happy, and holy life; for he attributed no part of his ſucceſſe unto himſelf, but all unto the bleſſing and providence of the Gods. As he paſt his time in this manner, admired and honoured by mankind, *Laphyſtius* an envious *Demagog*, going to ſummon him upon ſome pretence or other, to anſwer for himſelf before the Aſſembly, the people fell into ſuch a Mutiny, as could not be appeaſed but by *Timoleon*, who underſtanding the matter, reproved them, by repeating the pains and travail which he had gone through, unto no other end then that every Man might have the free uſe of the Lawes. Wherefore when *Demænetus* another *Demagog*, had brought the ſame deſign about again, and blamed him impertinently unto the people, for things which he did when he was Generall, *Timoleon* anſwered nothing, but raiſing up his hands, gave the Gods thanks for their return unto his frequent prayers, that he might but live to ſee the *Syracuſans* ſo free, that they might queſtion whom they pleaſed.

Not long after being old, through ſome naturall imperfection, he fell blind; but the *Syracuſans* by their perpetuall viſits held him, though he could not ſee, their greateſt object; if there arrived ſtrangers, they brought them to ſee this ſight. Whatever came in debate at the aſſembly, if it were of ſmall conſequence, they determined it themſelves, but if of importance, they alwayes ſent for *Timoleon*, who being brought by his Servants in a Chair, and ſet in the middle of the Theater, there ever follow'd a great ſhout,

after

after which ſome time was allow'd for the Benedictions of the People; and then the matter propoſed when *Timoleon* had ſpoken to it, was put to the Suffrage, which given, his Servants bore him back in his Chair, accompanied by the People, clapping their hands, and making all expreſſions of joy and applauſe, till leaving him at his houſe, they returned unto the diſpatch of their buſineſſe. And this was the life of *Thimoleon*, till he dyed of age, and dropped like a mature fruit, while the eyes of the people, were as the ſhowres of Autumne.

The Life and Death of my Lord *Archon*, ſave that he had his ſenſes unto the laſt, and that his Character is not the Reſtorer, but the Founder of a Common-wealth, was greater, is ſo exactly the ſame again, that (ſeeing by Men wholly ignorant of Antiquity, I am accuſed of writing *Romance*) I ſhall repeat nothing; but tell you that this year the whole Nation of *Oceana*, even unto the women and children, was in mourning, where ſo great or ſad a pomp of Funerall, had never been ſeen or known. Sometime after the performance of the Exequies, a *Coloſſus* mounted upon a brazen Horſe, of excellent Fabrick, was erected in the *Piazza* of the *Pantheon*, ingraved with this Inſcription on the Eaſtern ſide of the Pedeſtall.

HIS

NAME

IS AS

Precious Oyntment.

And on the Weſtern, with this.

Grata

Grata Patra

Piæ et perpetuæ memoriæ

D. D.

Olphaus Megaletor

Lord Archon, *and ſole Legiſlator*

of

OCEANA.

Pater Patriæ.

Invincible in the Field.
Inviolable in his Faith.
Unfained in his Zeale.
Immortall in his Fame.

The Greateſt of Captaines.
The Beſt of Princes.
The Happieſt of Legiſlators.
The Moſt Sincere of Chriſtians.

Who ſetting the Kingdomes of the Earth *at Liberty,*
Tooke the Kingdome of the Heav'ns *by Violence.*

Anno { Ætat: ſuæ: 116.
Hujus Reipub: 50.